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Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Thursday, October 3, 1985
Morning Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Thursday, October 3, 1985

The committee met at 9:55 a.m. in room 151.

EDUCATION AMENDMENT ACT
(continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: Our first delegation this morning is the Norfolk Women Teachers' Association. We expected Mrs. Hudson, but instead we have five of you, so that is a great exchange. I hear she is very competent, but I had no idea it took five people to replace her.

Mrs. Norman: She just had two babies.

Mr. Chairman: She just had two babies. My goodness, she is more than competent.

Mr. Bernier: Mr. Chairman, before we get into these discussions and briefs, I wonder if you could clarify for the committee the case that is now before the Ontario Court of Appeal. There is a lawyer by the name of Mr. Austin, who is the counsel for public education. Does he really represent the New Democratic Party?

Mr. Chairman: The name?

Mr. Bernier: Austin. I just read it in this morning's Toronto Star.

Mr. Chairman: The Toronto Star? That compendium of accuracy and infallibility. I do not recall him.

Mr. Bernier: You might want to read the article.

Mr. Chairman: I do not recall him.

Mr. Bernier: Maybe you could find out for me just as a matter of curiosity.

Mr. Chairman: I will check this out for you. You want to know if he is officially representing the NDP.

Mr. Bernier: It says here he is representing the Ontario New Democratic Party.

Mr. Chairman: That is the group that has been before the committee. Yes. In each of our parties, we have had individuals who are opposed to this, no matter what the paper might say. You might talk to Mr. Sterling about his caucus and I can talk to people in our party about ours. I thank you for bringing that to my attention first thing in the morning. It is a sad thing when I miss the newspapers early on.

I apologize for the delay. I have your names here, but I am not sure in which order everybody is in. Perhaps you would start off by introducing yourselves and then we will get on with your item, which is 772.

NORFOLK WOMEN TEACHERS'
ASSOCIATION

Mrs. Norman: Thank you very much, Mr. Chairman. We would like to thank the members of the social development committee for providing us with this opportunity to present our concerns. We realize you have heard a great number of briefs in the past two months, but we believe we have something important to say and that is why we are here.

We represent the Norfolk Women Teachers' Association. On my far right is Shirley Oatman. Next to her is Glenna West and then Betty Talbot. On my left is Rita Kalmbach. I am Mary Lou Norman. I shall present the brief. Then, following the brief, we will all attempt to answer any questions you might have.

The Norfolk Women Teachers' Association strongly opposes the extension of funding to separate schools. Our membership, comprised of 225 elementary women teachers, is alarmed at the impact of the proposed legislation on the children and the taxpayers of Norfolk.

Major concerns have developed in the areas of cost, community segregation, secular discrimination and quality education. Responsible educators must voice their concerns and, by doing so, make clear that the proposed changes should not undermine the educational system as we now know it; nor should these changes erode the quality of excellence that has been recognized worldwide.

The startup costs alone required to finance separate schools at the level of grades 11 to 13 will place an unnecessary financial burden on the taxpayers of Ontario. At this point, the allocation of \$34 million to 6,300 grade 11 Roman Catholic students for the startup period of September to December 1985 is a pittance compared to the estimated cost of full funding. At the outset, a projected \$150 million is required to implement a dual educational system. How can this be justified?

The public system of education is already hard pressed to accommodate the needs of all of our students. Unless the taxpayers of Ontario are expected to put more tax dollars into education, it is clear that the money to extend funding will be taken out of existing educational budgets.

Would it not be far better to use tax dollars to improve one system rather than to create a second system which will drain needed funds away from the first, inevitably resulting in two inadequate systems? Instead of improving an already excellent system, extension of funding will establish an intrinsic inequality of opportunity for Ontario students.

It is our belief that the extension of funding of separate schools will not equalize educational opportunities for Catholic students; rather, it will place them in a superior position to other non-Catholic Ontario students. Elitism rather than equality will be fostered in a school system which will be lavishly funded by the taxpayers of Ontario.

In the public schools of Ontario today, one encounters Jews, Muslims, Hindus, Buddhists, Sikhs, Christians and students from many other diverse cultural, ethnic and religious backgrounds, living and learning together. Our public schools provide our students the opportunities to understand and appreciate our differences and to develop common goals worthy of pursuit by all for the betterment of all.

Why destroy what does not need fixing? Bill 30, if declared constitutional by the Court of Appeal, will give rise to the demand for full funding for the private schools of Ontario, those in existence now and those which will surely come into existence as a result of the availability of funding.

As public school teachers, we can surmise why parents of elementary students who are now attending our schools may wish to enrol their children in the separate school system or in private schools. Parents and teachers share a common goal and a common concern. We want the best for our children. Large class sizes prevent us from providing the very best for them. An extension of funding to the public elementary school system would definitely assist us in reaching our goal of delivering the best education to each student in Ontario, no matter the religion, colour, age, sex, ethnic origin or mental or physical capabilities.

We did a little class-sized survey in Norfolk after September 30, once the statistics had been obtained from all of the public elementary schools, and we found that the average primary

class size was 25 to one—25 students to every single teacher.

This may sound good to you at the outset, but when you consider there is also an average of 10 exceptional students coming into that classroom every day for at least one half of the day—students with all kinds of learning disabilities, perceptual problems and handicaps of one kind or another—you can imagine the tremendous burden that is placed upon the teacher, who is trying her best to develop excellent educational opportunities for every single child in the class.

The Federation of Women Teachers' Associations of Ontario has a policy in regard to class size. After having done a great deal of research—and this research was presented to you on July 25, when our federation presented its brief—we believe class size makes a difference, particularly in the primary grades. We have found that smaller class sizes can bring about better results, especially in mathematics and reading, the two basic subjects taught in primary classrooms. A child who succeeds at the primary level is off to a good start for the rest of his or her education.

FWTAO's policy dictates that there will be no more than 15 students in a junior kindergarten, 18 in a senior kindergarten, 20 at the primary level and 25 at the junior and intermediate levels. In Norfolk alone, we are up to 25 for every teacher, plus an average of 10 exceptionalities coming in for at least one half of every day.

The Norfolk Women Teachers' Association supports the Federation of Women Teachers' Associations of Ontario in its stand on reducing class size, particularly at the primary level. If \$150 million was allocated to public and separate school boards as they exist today, 4,000 teachers could be hired to teach in the primary classrooms of both the separate and public systems.

What purpose would this serve? All children would benefit. Smaller classes at the primary level in Ontario's schools would save thousands of dollars in future years, tax dollars which are now allocated to special education—Bill 82—and to remediation for the junior, intermediate and senior students in our Ontario elementary and secondary schools in both systems.

We urge you to reconsider your decision on Bill 30. Is it fair to allow one religious group of grades 11 to 13 students to benefit by obtaining an elitist form of education at the expense of thousands of primary children all over Ontario? Now that we know tax dollars are available for education, we urge you to re-examine where the taxpayers' money could be put to the most beneficial and practical use.

In our eyes, all students should have equal opportunities to succeed. We welcome and accept all students. Before fragmenting the public school system, please stop to consider what the repercussions will be.

10:10 a.m.

We must examine two of the goals as stated by the Ministry of Education's document, Ontario Schools, Intermediate and Senior Divisions, on the charts you see on either side of this room, particularly 10 and 13.

The first goal is "to help each student develop esteem for the customs, cultures and beliefs of a wide variety of societal groups." This goal is related to social concord and individual enrichment. In Canada, it includes regard for the native people, the English and French founding people, multiculturalism, national identity and unity.

The second goal, which is 13 on the charts, is "to develop values related to personal, ethical or religious beliefs and to the common welfare of society."

These are the goals of education as published by the Ministry of Education in Ontario. This is what the ministry has advocated and published in every single elementary and secondary school in Ontario.

Is it wise then to allocate \$150 million to one religious group of citizens, thus depriving many other citizens of different religious beliefs of their right to an excellent system of education? We believe this is a very unwise, foolhardy move on the part of the Ontario government.

The dichotomy of terms advocated by the Ministry of Education is difficult to comprehend. As teachers in Ontario, we are responsible for implementing Bill 82 and OSIS in September of this year. We consider these two programs to be serious mandates imposed by the ministry and the public and we are pledged to do our very best to ensure that every exceptional child is educated and challenged mentally, physically, socially and emotionally to his or her full potential.

We shall also attempt to provide much-needed counselling services, both during our instructional and even during our noninstructional time. Without adequate funding from this same ministry, we cannot truly begin to implement these mandates as they have been outlined. On the other hand, educators are contending with the proposed imposition of secular segregation, which negates the principles of ministry doctrine.

I would like to invite all of you to come to my school to see Bill 82 in action. Norfolk is trying its very best to implement Bill 82 as outlined by

the ministry. We are teaching remedial reading in the boys' change room. We have guidance counselling of individual students between the two front doors of our school. Special education classes are being taught in the library. French classes are being moved all around the school as a result of trying our best to implement these mandates set down by the ministry. This is not unique to Norfolk. In talking with my colleagues from all over Ontario, I understand that similar situations exist.

Disintegration of community identity will be the inevitable result of full funding to separate schools. In Norfolk, a small rural board with an enrolment of fewer than 10,000 students and five secondary schools now exists. Students attending a fully funded separate high school would have to be bused from all corners of the region. Community spirit now exhibited by the local school boards would be destroyed. Healthy interschool competition would be replaced by religious discrimination inherent in segregation on the basis of religion.

Each year we have a local community fair called the Norfolk County Fair. The five secondary district high schools all participate in healthy competition, including tug-of-war, cheerleading and other similar activities. In the future we will see perhaps only three secondary public schools competing against one separate secondary high school. What kind of competition will this bring about among our students in Norfolk?

The director of the Norfolk Board of Education, Mr. A. Burbidge, has stated that during the next five years there will be 781 potential Roman Catholic high school students who could leave the public system if the Haldimand-Norfolk Roman Catholic Separate School Board sets up its own separate high school in the area.

Unless a lot of people move into the area, three of our five district high schools could house all of our non-Catholic students. That would mean two of the five schools would have to be closed. What would be some of the possible effects? First, the local board of trustees, based upon the wishes of parents, students, teachers and the rest, would have to make up its mind whether it wanted five small community schools offering the basic programs and maybe a few special programs, or three larger schools that could provide a wider range of programs. But certainly programs would be curtailed.

It seems very strange to us now, after working so hard all these years to get these excellent programs implemented in our school system, to

find ourselves suddenly forced into losing some of our schools at the expense of building another separate high school. Both schools will lose out as far as programs are concerned.

After talking to many of the students from the Norfolk area, we have learned they are very happy with the system as it exists today. I mentioned there is no Catholic high school, but each of the five districts has one high school which forms a very important part of the community.

Catholic students do not want to be segregated throughout their entire school careers. They enjoy the teen dances and the opportunities to participate in athletics, as well as the variety of interesting programs, both curricular and extra-curricular. They do not want to give these up; nor, it appears, do the Catholic teachers in Norfolk want to give up their positions on the public school board. They enjoy working in a nonsegregated environment.

In May 1985 the director of education for the Haldimand-Norfolk Roman Catholic separate school system, Al Homeniuk, surveyed the separate school ratepayers and only 58 per cent of them indicated they wanted a Catholic high school, which is not an overwhelming majority. However, he has stated the Haldimand-Norfolk Roman Catholic separate school system would go ahead and build a Catholic high school in the future if full funding were granted. The date simply has not been determined.

Local teachers are also placed in jeopardy by the restrictions full funding imposes. At a recent public forum in Simcoe, the member for Haldimand-Norfolk (Mr. Miller) stated there would be restrictions on promotions for non-Catholic teachers who were designated or chose to teach in a Roman Catholic separate secondary school. Mr. Miller states the truth. He recognizes and states honestly that discrimination will probably occur in these situations.

He is not the only one who has presented an honest opinion on this question. I would like to quote from Bob VanWynsberghe, chairman of the Haldimand-Norfolk Roman Catholic Separate School Board, who was interviewed in the Simcoe Reformer on Friday of last week. He said, "There will be full acceptance of non-Catholic students but they would have to take whatever religious courses are being offered."

He also said, reiterating what Mr. Miller said publicly: "The separate school board would want to have a say in the hiring of teachers from the public school board. We would not want to hire anyone they declared surplus. We want to be free

to advertise within the public school system and hire teachers on that basis." He also said, "The board would not hesitate to fire anyone whose lifestyle conflicted with any Christian social values." Again the truth has been spoken; discrimination will most likely occur.

These quotations are in direct contradiction to what is stated in Bill 82, but can one legislate a change in attitude?

In the past, promotion practices in Ontario schools have been beset by sexual discrimination. One need only examine the statistics regarding the number of women teachers in administrative positions throughout the province. Through affirmative action programs, the inequities may be offset. However, another hurdle, specifically extension of funding, will be erected to the detriment of all non-Catholic teachers.

In the public school system of Norfolk, there is only one female principal in the elementary panel, only two female vice-principals in the elementary panel and one female vice-principal in the secondary panel.

10:20 a.m.

In the Haldimand-Norfolk separate school system, there are no women in either of these positions. With fewer positions of added responsibility, neither system will be able to respond to the ministry's urgent request, issued in 1984 by the then Minister of Education, the member for York Mills (Miss Stephenson), that competent, qualified women be given equal opportunity and serious consideration for such positions; not only that, but that they be encouraged to apply for and prepare themselves for these positions.

The ministry's strong request to school boards of Ontario was accompanied by incentive funding to school boards to hire affirmative action co-ordinators. Many school boards took advantage of this incentive funding and hired affirmative action co-ordinators to implement and co-ordinate these programs. Will these newly appointed people lose their newly acquired roles? Must the school boards again renege on a program newly begun because funding will not be available to them nor will positions of added responsibility be available in the smaller boards?

Plans are now under way in the Norfolk board to reorganize the administration of the elementary schools. We understand that declining enrolment in the public schools, coupled with the extension of funding to the separate schools, will force the Norfolk board to move towards the twinning, tripling, quarteting or even the closing of the smaller elementary schools.

Once again, women teachers who aspire to positions of added responsibility will lose out. In the long run, the students will lose out as well, as both twinning and the lack of female role models in administrative positions will be detrimental to all students at this stage in the history of Ontario. The closing of schools would be detrimental to the entire community which each small school serves.

In conclusion, the members of the Norfolk Women Teachers' Association proudly defend quality, community-based education which requires adequate government funding. The quality of education is preserved when students are instilled with an understanding of their similarities and an appreciation of each other's differences.

We find the provincial government's actions incongruous with this objective. Rather, our government appears intent upon creating a schism among the various faiths and cultures which are currently part of our Ontario society, as well as those who will be living here in the near future. Roman Catholic immigrants could very well be funnelled into educational ghettos, segregating them from a non-Catholic society immediately upon their arrival in Ontario.

"Completing a system" promised to our Roman Catholic friends and colleagues in 1867 does not seem to be a wise course of action in a 1985 society which advocates integration of students as opposed to segregation of students. Integration of students with exceptional needs is encouraged for the purpose of providing equal educational opportunities to all children. Segregation of students is now advocated for the purpose of maintaining and advancing one religious belief.

According to the Ministry of Education of Ontario, integration of students will lead to a better and more humane understanding of the problems and needs of all of our pupils. What will the segregation of one complete system of Roman Catholic students in Ontario lead to?

Although other provinces have successfully developed two completed systems of education, according to the member for Scarborough Centre (Mr. Davis), such may not become the case in Ontario, not because, as Mr. Davis suggested, Ontarians might be less mature and unable to rise to the challenge set before us, but because we believe the wishes of the Ontario public taxpayers must be taken into consideration.

At the aforementioned forum in Simcoe, Ontario, on September 18, 1985, which was sponsored by the Norfolk Women Teachers'

Association and the Ontario Public School Teachers' Federation, Norfolk, not one positive remark was made by anyone in the audience about the extension of funding to separate secondary schools. Out of approximately 105 people in attendance at the forum, only three people—our guests, Gordon Miller, MPP, William C. Davis, MPP, and David Warner, MPP; the three guests representing the three political parties—expressed positive viewpoints about Bill 30.

One taxpayer said she could no longer discuss the issue with her Catholic friends. Bill 30 has already begun to set neighbour against neighbour.

We seek co-operation with people of all religious beliefs. We seek fairness and equal educational opportunity for all citizens of Ontario. The public school system is a network of community schools which extends a welcome invitation to any individual who desires to enter, no matter what his or her sex, race, colour, creed, ethnic origin, age, or mental or physical capabilities. In short, we seek integration for the benefit of all.

The recommendations are outlined on pages 10 and 11. I would like to go over them briefly, although I know you have heard and seen them before. I would like to highlight the ones we are specifically emphasizing, although we are emphasizing all 11.

Mr. Chairman: You may do so if you wish, but I am going to be cutting off the discussion in about five minutes. You will be restricting the questions. It is your choice.

Ms. Norman: All right. I shall select only one and we will allow those few remaining minutes for questions.

1. We recommend that the government delay further implementation of extended separate school funding until the constitutionality of such action has been determined, and further, until all the ramifications have been thoroughly examined.

We state this because we believe an issue of this magnitude should have been discussed at great length in the House prior to partial implementation. Good decision-making—and surely our parliamentarians know this—comes about only after a very careful examination of the pros and cons. One person does not have the power to speak for all people.

Between 1971 and 1985, maybe some members of those political parties changed their minds. They surely would have liked an opportunity to discuss this in the House before one

person used the power he had to make such an overwhelming decision of this magnitude, which will affect not only our children of today but our children of the future and our Ontario of the future.

Mr. Chairman: Before we move to questions from the committee members, can you tell us what the Catholic population of Norfolk is?

Ms. Norman: They have 10 elementary schools.

Mr. Chairman: They are existing in the small towns primarily, alongside the public elementary schools at this point?

Ms. Norman: Yes, they are. They are spread throughout the region of Haldimand-Norfolk.

Mr. Chairman: You make a comment on page 7 that the quality of education is preserved when students are instilled with an understanding of their similarities and appreciation of each other's differences. Given that you are public school teachers at the elementary level and there is an existing elementary Catholic panel in most of the areas where you have schools, are you questioning the quality of the present Catholic schools in your communities?

Ms. Norman: Not at all.

Mr. Chairman: If they can provide that kind of education at the elementary panel level, why do you think they cannot do it at the secondary level?

Ms. Norman: They probably could, except for one fact. We are back to talking about funding. It has taken the public school system up until 1985 to implement the kinds of programs we have that demand great numbers of dollars. We are talking about computers, electronic typewriters, machine shops, all kinds of facilities the Catholic school boards could not begin to implement within one year. They could not begin to unless they drained the taxpayers even more substantially than the \$150 million that has already been allocated.

Mr. Chairman: You have probably heard that it is not the intention to have major duplication of equipment. I notice you make comments about the intent of a director of education for the Catholic system; that he or she thinks there should be a separate high school and that he or she has no right to determine that. The commission will determine whether it is appropriate. Concern for single-school communities, avoiding that kind of duplication where it is not necessary, is one of the major concerns this committee is looking at.

10:30 a.m.

Ms. Norman: We are very pleased to hear that.

Mr. Offer: Maybe I could carry on with that last point you made. I believe that statement, with all due respect, was made in May 1985, which would have been prior to the introduction of this bill, and it would have been made without that person having the knowledge and direction many people have now seen from this committee and from statements from the minister and the ministry.

Ms. Norman: You are correct. Thank you. It was recently cited by Mr. Homeniuk in the paper, but the survey was taken in May 1985, yes.

Mr. Offer: What is your opinion on the possibility of having a voluntary transfer of teachers from the public system to the coterminous board? Do you believe that may lessen any effect of the implementation of full funding?

Ms. Norman: No. I think the voluntary transfer would be the route to pursue.

Mr. Offer: You are in favour of that? I believe it came out, but it was not that clear to me when you were discussing it.

Ms. Norman: Yes. I do not believe any teacher who is a non-Catholic should be forced to teach in a Roman Catholic separate school.

Mr. Bernier: On page 1 you note your organization is alarmed at the impact of the proposed legislation on the children and taxpayers of Norfolk. Could you expand on that? We have been hearing in the last month that the impact has not been as great as some people had originally feared.

Ms. Norman: I believe I did outline what would happen to our students once the community spirit is taken away from them and replaced by students of two different religions, or one group based upon religious beliefs and the other group coming from a public school system. That is what we are alluding to there as far as the children are concerned.

Also, we are talking about class size. Again, we are alarmed because the government intends to put \$150 million to service the needs of grade-11-to-13 students who are already being serviced very well in the public schools of Ontario. The children who are missing out on the services are those at the primary level, because the class size at the primary level is much smaller than the class size in the secondary schools. This is true throughout Ontario.

For 15 years now, we have been talking to the Ministry of Education and we have made some headway. The class size has been reduced. However, it has still not been reduced significantly so that we can do the very best job we could do if we had the same class size as those secondary students. We believe the immature student should have the same rights as the mature student.

Mr. Bernier: Has there been an impact in the first month of the operation of the extension program?

Ms. Norman: Has there been an impact upon the children in Norfolk?

Mr. Bernier: Yes, and the taxpayers. You say in your statement that you are shocked at the impact. Has the impact really shown? Has it surfaced already?

Ms. Norman: Not exactly on the taxpayers of Norfolk. It is the impact of the proposed legislation on the children and taxpayers, right. Yes, it has had an impact upon the people. This does not mean they are paying more.

I will tell you what is happening as far as the taxpayers are concerned. They are paying more because now they are sending 60 separate school students, who would ordinarily have attended one of our five secondary district high schools in Norfolk, to various regions such as Brantford, Hamilton and London. The provincial government is paying for the services they are receiving in those schools. So in the long run it is costing the taxpayers more.

Mr. Bernier: On page 7, you say that declining enrolment in the public schools, coupled with the extension of funding to the separate schools, will force the Norfolk board to move towards twinning, and you add, possibly the closing of elementary schools. Can you explain how extending the funding in the high schools to grades 11, 12 and 13 will affect the elementary schools?

Ms. Norman: We cannot predict how many elementary children will move into the Roman Catholic separate school system once they know full funding will be provided from kindergarten to grade 13. We anticipate a number of students who are in the public schools now could very well move into the separate school system, thus bringing about numbers so small that our smaller elementary schools servicing the needs of particular communities will have to be closed or twinned.

Mr. Chairman: Do you know the percentage of pickup at the moment of the Catholic population in the separate elementary schools?

Ms. Norman: No. We tried several sources to get that statistic, but we were unable to get it.

Mr. Chairman: The 10 schools, I presume, are pretty high already. Rather than saying there is a great fear, would it not be better to know how many kids will actually be affected?

Ms. Norman: It would be better, but we do not know. The Haldimand-Norfolk Roman Catholic school system is sending its pupils out and is very wisely waiting before it makes any plans to build its own separate high school, which would then have an effect on the number of elementary children who might leave our schools to enter the Roman Catholic school system.

Mr. Allen: I wonder if I could ask a couple of very quick questions. First of all, you referred to the 10 elementary schools sponsored by the Roman Catholic board; are they grade 8 schools or do they run through to grade 10?

Ms. Norman: They are kindergarten to grade 8.

Mr. Allen: Every one of them?

Ms. Norman: Yes.

Mr. Allen: So there is no secondary offering in the Norfolk area.

Second, you referred to affirmative action programs in a general way, but you did not ever say whether your own board has such a program or whether it has hired a co-ordinator under the proposal the ministry put forward.

Ms. Norman: In 1982, the Norfolk Women Teachers' Association presented a brief throughout the Norfolk Board of Education and as a result there is a policy with our local board. Unfortunately, the only thing that has resulted since then—it is not unfortunate; it is one very positive step—is that women teachers have been encouraged to become qualified and to prepare themselves for positions of added responsibility. The board encourages equal opportunity for every employee.

Mr. Allen: But no targets have been set for proportions of female presence in positions of added responsibility and no person has been hired by the board to supervise such a program?

Ms. Norman: No. I believe, though, that the board has intentions to hire someone for a 15-day period to check into the number of possible statistics and it must be reported to the Legislature each year.

Mr. Reyecraft: Ms. Norman, I want to follow up on something you said in response to a question by Mr. Bernier. You objected to a province proposing to spend \$150 million a year

on students whose education was already provided for in the public system. That is simply not the case.

At present, there are approximately 30,000 students in private Roman Catholic secondary schools, grades 11 to 13, across this province. Bill 30 would bring those students under the umbrella of public funding. To do that on the basis of the current general legislative grants, should those students move into the public schools instead of being funded in the separate schools, would cost the province somewhere in the neighbourhood of \$120 million a year. It is not just to provide a separate school education for students who are already receiving or would already be receiving their education in the public system. I want to point that out. It is something that has been suggested by others previously.

10:40 a.m.

There is one other thing I would like to question from your brief. You make the argument on the second page that the separate system will foster elitism, that it "will be a lavishly funded system, funded by the public taxpayers," yet in the same brief you go on to speak of the funding deficiencies that exist in the public system. The proposal is to extend the grants on an equal basis to both public and separate systems. Where is the rationale in that argument?

Ms. Norman: I am not sure I understand what you mean.

Mr. Reycraft: If we provide equal funding to separate secondary schools, why are they going to be lavishly funded, when in your opinion the public schools are underfunded?

Ms. Norman: It seemed to us that \$150 million to service the needs of students in grades 11 to 13 was exorbitant, when we have been talking about how \$150 million could be used to hire 4,000 teachers at the primary level in education. That would lower class size substantially in both the separate and public school systems. That is the point we are trying to emphasize.

Mr. Chairman: Your organization plus many of your locals that have come before us have made the argument that funding for the elementary panel is insufficient at the moment and there are very good reasons why it should be increased, and that juxtaposing it with the money going to Bill 30 is a legitimate thing to do from your perspective. One would hope these things would not have to be exclusive, but rather could all be seen as part of a package for improving the public education of the province.

Thank you very much for coming today from Norfolk to speak to us. I appreciate it very much.

Our next presenter is Mr. Selley; item 773. Welcome, Mr. Selley; we are pleased to have you here. If you would like to take us through your brief in any way you choose, then we will open it up for questions afterwards.

D. C. SELLEY

Mr. Selley: Thank you, Mr. Chairman. First of all, my credentials: I am here representing only myself, although I know many share my views. I represent no group of interested parties, be they school boards, public or Catholic, teachers or others who can look after their own interests in this matter, as was ably demonstrated by the previous presentation, and I am not an expert on education.

I am an immigrant. I have been here for 23 years, more than long enough to build up an intense love of this country, especially its unparalleled success in racial, ethnic and religious affairs, the tolerance and respect of, and even joy in, diversity and the harmony between groups.

My son attends a private, nonsectarian school. For financial and other reasons, I would prefer to send him to a public school, but he will receive a higher-quality education where he is. I am fortunate enough to be able to afford this choice. I am not asking for taxpayer funding for my son's education.

Finally, I am a chartered accountant, which should convince you that I am not a radical. I know collectors of oxymorons who have "radical chartered accountant" as one of their prize exhibits. But I do have a strong belief in freedom of religion and freedom from religion. I will defend the right, within certain limits, of people to educate their children in a sectarian school, but I object strongly when they wish to have me subsidize their choice.

In summary, I believe Bill 30 is an appalling piece of legislation because it extends public funding for the teaching of sectarian religious beliefs to children. It takes a grotesque hangover of our history and converts it into a present-day principle, all for political ends.

I will try to explain my position and conclude with some suggestions.

But first, why am I here? Obviously, I am opposed to this bill. I think it should be scrapped, but your chairman was quoted some time ago as not being interested in such views, only in suggestions for improvement. In my view, there

is only one meaningful improvement that can be made: scrap it. So why am I here?

Many of my friends share my views and have said: "What is the use? Those guys have made up their minds. The hearings are just a sham. The politicians just want to get it over with. They will not listen to you; you are only one vote. It is now a fait accompli. They will make you out to be an anti-Catholic bigot."

So why am I here on such a hopeless task? I will tell you why. Somebody has to challenge the principle of state-granted privileges to a particular religious group. A few others have expressed similar views before this committee, but they are swamped, from what I have heard, by those representing special-interest groups. The committee must not be allowed to assume that silence means consent and that only special-interest groups count.

I do not believe politicians are entirely devoid of principle. Surely some formulate views other than on the basis of the number of votes, and I simply refuse to believe that there is only one MPP who thinks this bill is wrong.

Why do I think Bill 30 should be scrapped? As I have said before, the granting of this special privilege to Catholics is a grotesque anomaly in the 1980s. If the privilege did not now exist, nobody would even consider creating one.

The situation at this time in our history is not, as some people have argued, a right granted to Catholics; it is a wrong granted to Catholics. It was a different world in 1867. Catholics at that time were in need of protection from a hostile Protestant majority. Religious toleration was even more fragile than it is now. In England at that time I believe Catholics were still barred from public office.

This is not true today. In Ontario, Catholics are perhaps the strongest single denomination and there is no Protestant school system to threaten them. I believe this bill is before the Legislature not because Catholics are weak and disadvantaged, but because they are strong and can swing elections in key ridings.

There is no longer any reason for this extraordinary privilege to exist, let alone be extended. To take children into the authoritarian environment of a school and teach them that only one brand of Christianity is the right one, that only Catholics or Jews will go to heaven, is absolutely and unalterably wrong. It can only breed intolerance at best, and at worst, hatred. As I read the press, we are not far from hatred in some parts of this province on this very bill. To the extent

that it exists, and if it exists, I think you politicians are 100 per cent to blame.

Other religious groups also have their own schools. I am just as much opposed to them, depending on the degree to which they preach a particular view and deny the value of other views. However, these schools do not receive, nor do they all ask for, special privileges from the state and from the taxpayer. If Jews, Moslems or fundamentalists run their own private schools they pay, just as I do.

Please do not get me wrong. Much as I personally dislike the teaching of sectarian religion in any school, I would not wish the state to abolish such schools or to place any restrictions on them, apart from minimum standards of education, and in the very rare case when it might be necessary the enforcement of the existing laws against hatred. I do object very strongly, however, to the granting of special state privileges to such schools, and even more so to just one of those religious groups.

It has been claimed by some that the quality of education in Catholic schools is superior to that in public schools. This may or may not be true, but even if it were it does not give the Catholic schools the right to public funding, nor should it be requested. I do not request it for my son, but I do feel aggrieved about others receiving it.

The private school my son attended for four years, before he was where he is now, contained children from many religious, racial and national backgrounds. Inasmuch as a child can be said to have any religious beliefs at all, other than those of his parents, there were WASPs of the old-fashioned, true-blue Tory type, Catholics, Jews, at least one Moslem, a Parsee, and several agnostics and atheists. There were whites, blacks and various shades in between, as well as Asiatics. There were children from Canada, the United States, the United Kingdom, Ireland, Australia, Hong Kong, India, Ghana and other places.

We all rejoiced in this diversity. There was no attempt to cast into a mould, religious or any other, particularly religious. In fact, a child from a particular religious background, on a festival day or a special day for that religion would sometimes stand up and explain it to the other children and they would celebrate together.

10:50 a.m.

How much more worthy is that school to receive state privileges than a sectarian religious school? Yet it is not asking for such privileges. How much more Canadian and representative of 1985 is that school than one that revels in and

seeks to extend a privilege rooted in a less tolerant age of about 120 years ago?

How dare our elected representatives act so arrogantly to extend this privilege without debate against the strongly held views of many, perhaps even a majority, of the people of Ontario before its legality has been determined and in total disrespect of the mixed racial, ethnic and religious nature of this province? How dare you put into jeopardy an unenviable record of tolerance, which I believe is second to none in the world?

What do I suggest? My first suggestion would be to amend the bill so it abolishes state funding for Catholic schools from grades 1 to 10. I recognize this will cause a great deal of bitterness, and I admit this suggestion is only half serious. I think people are willing to tolerate an existing anachronism when it has been in place for more than 100 years, but only so long as its beneficiaries do not boast about it or seek to extend it.

Extension of the proposed privileges to all private schools would make the system more equitable. While I would benefit from this personally, I could not suggest it at this time because of the expense and because much further study would be needed to assess the effect on the public school system. Nevertheless, this would be a much fairer proposal than Bill 30.

Basically, I feel the bill should be killed. That leaves the problem of how to achieve this, and all you gentlemen and the parties you represent would have to climb down from repeatedly stated positions, all except one of you. Even though I have no sympathy for you, I think you got into this mess for vote-gathering reasons primarily. I wish I could suggest ways to help you out without loss of face, but I am at a loss.

Can you hold a free vote? That would not really do the job. How many MPPs would have the guts to change their minds so publicly? A free vote with a secret ballot might change things. However, is this constitutional and is it a desirable precedent? I think not.

In conclusion, I could say guarantees of access to non-Catholic students and similar measures to desegregate students at Catholic schools would be improvements. However, I do not wish to end on a note of compromise, and I will not pursue this line of reasoning. Others have; including, as I note in the press recently, the member for Don Mills (Mr. Timbrell).

In short, I believe the bill is inherently bad, utterly wrong and totally un-Canadian. All I can say is scrap it, defer it indefinitely, refer it to a

permanent committee permanently, do whatever you want with it to save your faces, but somehow or other make sure it never hits the statute books. The people of Canada and Ontario will rue the day, I believe, if it does.

Mr. Chairman: Mr. Selley, I would like to say to your comments about the acceptability of your total opposition: this is a position this committee has recognized from the beginning. I regret that the only press you saw seemed to indicate that was not the case. We have had many people come speaking only in favour of the principle or speaking only in opposition to the principle and not dealing with the substance of the bill. That is certainly within the purview of people to do, in my view.

The other thing is about individuals being swamped, as you indicated. Today, for instance, nine deputations are individuals, and we have had a large number of those. Maybe the press pickup is more from the organized groups, but some of the individual presentations have had the most impact on the committee. The fact that somebody without a vested interest has taken the time to come before us has been impressive to the members of the committee.

Mr. Selley: I am glad to hear that.

Mr. Sheppard: I was quite impressed with your presentation. There is one question I would like to ask. Why did you send your children to a private school and not to a Protestant school or a Catholic school?

Mr. Selley: As I said in my brief, I would have preferred to send him to a public school. The quality of education he is getting now is better than the education he would get at the public school closest to where I live. That is a judgement on my part. While a strong supporter of the public school system, I believe, in dealing with my son, I have to make a choice to send him to the place I think he will get the best education.

Mr. Sheppard: That was your own personal choice?

Mr. Selley: It was my own personal choice, yes.

Mr. G. I. Miller: Mr. Selley, you made some very strong statements against the members of the Legislature, indicating they were not making a democratic decision. How can you justify that when four other provinces have full funding? We are funding our separate school system in Ontario to grade 11. The Constitution clearly states we had the right to do that. It is before the courts now because we brought the new Constitution home saying we cannot discriminate, but there is plenty

of evidence to indicate the former Constitution is going to stand. How can you say that Ontario residents do not deserve the same as other Canadians?

Mr. Selley: I have to collect my thoughts to see where I start on that answer.

First of all, as I understand it, the decision has been made and the process started. The courts have apparently not yet ruled.

Secondly, I do not believe there was extensive debate. As the previous submission mentioned, the final decision to go this route was made by an individual at a particular time and there has been very little debate except in this committee.

I am not an expert on education. I do not know what the system is in other provinces. Whatever the Constitution says, at this time in our history and Canadian society as it is, it is wrong to segregate children on religious grounds. Therefore, I think it would have been preferable to do nothing with the education system. If the courts determine it is a right, and you believe it is a right to extend it further at this time, you are enshrining it, unfortunately, into contemporary society. Now you can successfully say, "This is a leftover from our history and we should not tamper with it."

Mr. G. I. Miller: Is there any evidence, as far as you can see, that the present system is creating any divisiveness, whether in Toronto or any of the urban areas around Ontario; or that in grades 12 and 13 education there is any evidence indicating that it is splitting our community?

Mr. Selley: I have not done any surveys. I really do not know whether it is or not. I have heard remarks from individuals which indicate that in some Catholic schools and other religious schools certain things are taught that I would certainly be strongly opposed to, but I have no real hard evidence.

11 a.m.

Mr. Allen: I do not think anyone tries to pretend that the process is perfect and without flaws. I am not sure at any point that the procedures or decisions radically depart from the ways in which government does operate with regard to a great many issues. It frames the position, puts it out there, gives it to the Legislature and then all sorts of things happen by way of public hearings and so forth.

The first question I was going to ask was what do you do and how do you respond to the stubborn reality of the constitutional issue? I heard you say to Mr. Miller you would simply leave it stand as it is. I think that is a respectable

response; frankly, I do. It happens not to be the one we have made, but it is a respectable response to that situation.

I think this is one element that has moved me in some respects on the question. Given that so many of the immigrant groups that have come to Canada since the Second World War have chosen to attend that system and are in it as students who obviously need the best they can receive in order to make their way in a Canada that has accepted them, how do you reconcile providing them the best and most complete education possible with your observation that this is being done in total disrespect of the mixed racial, ethnic and religious nature of the province?

Mr. Selley: As I also said in my brief, I think everybody has the right to choose. I do not know what the systems were in the countries the immigrants came from. My own view would be that if these people choose to send their children to Catholic schools, then so be it. It does not really alter my view. I do not know what the solution would be if you were suddenly to cut off the amount of money there is there now.

I suppose you could phase in the change over a long period of time and say anybody who is now in the system will continue to be funded through it and then gradually phase it out. There are so many opportunities for people with a particular religious belief to get together and share those religious beliefs with each other that you do not need to do it in the public school system.

The reality is difficult to deal with. I do not know whether there is any opposition within these ethnic groups to putting their children into the public system in the last couple of years of their education. My own personal view would be it would be terribly advantageous to them for that to happen, particularly if a particular school had a concentration of people of one particular ethnic and religious group.

I just think it is beneficial for children to be exposed within the school system to a whole range of religious and other beliefs.

Mr. Chairman: Anything further, Mr. Allen?

Mr. Allen: I will just leave it at that, Mr. Chairman.

Mr. Offer: First, by way of comment, I would like to indicate that those who have come before the committee who speak out against the bill, I can assure you, are not labelled, as per the beginning of your brief, as anti-Catholic bigots. We listen to the concerns, and I am certain that has been the experience from day one. On the other hand, those who are in favour of the bill, if they are politicians, are not, in your words,

entirely devoid of principle. I just wish to indicate that as a comment.

Mr. Chairman: Allow Mr. Selley to answer that and then you can go on.

Mr. Selley: I appreciate that other people have different and opposing principles. With respect to the first point, I was really quoting what other people were arguing. Also, I do know of one experience where a person made a submission along the lines of mine to this committee, who was afterwards—not by a member of the committee—labelled as an anti-Catholic bigot.

Mr. Chairman: Of course, Mr. Selley, we cannot control what other people do, but we have tried to be as open as we can.

Mr. Selley: That was what I got for making that statement.

Mr. Offer: It would be appreciated, possibly, if you feel it within yourself, to take back to your friend that those particular statements are somewhat out of line with respect to this committee.

With respect to a question, and it is really in your role as a chartered accountant—

Mr. Chairman: It is not personal advice or things like that?

Mr. Offer: I guess it might be a supplementary. Can you tell me with respect to the private and nonsectarian schools, are tax deductions available?

Mr. Selley: I believe donations are deductible. If you make a donation to any religious organization or to an educational foundation, that is deductible for tax purposes. I am not a tax expert, but I believe there are certain ways of setting up educational trusts.

Mr. Offer: Do you have the right to claim a deduction of one kind or another with respect to those particular vehicles under the Income Tax Act?

Mr. Selley: I believe so. I am not familiar with them.

Mr. Offer: I mean in your particular case.

Mr. Selley: No, I do not take advantage of it. I have made donations from time to time to educational organizations that are deductible for tax purposes.

Mr. Offer: I am wondering if those privileges under the Income Tax Act fall within any opinion you may have on the availability or the continuation of those deductions.

Mr. Selley: I have not really thought about the overall desirability of that. However, the key is that all those privileges are extended to all religious groups and private schools, not just the

one particular religious group that has private schools.

Mr. Offer: In your opinion, those are permissible and acceptable and what not?

Mr. Selley: Yes, less unacceptable.

Mr. Offer: Less unacceptable. Fine, thank you.

Mr. Chairman: A nice distinction. Are there other questions? If not, I thank you very much for taking the time today to express your views to the committee. You have been well heard.

Our next delegation is from the London Council of Home and School Associations. Welcome. This is exhibit 774. Welcome back, Mrs. Bawden, whom we have seen before. I am not sure who is who of the other two, so you might introduce yourselves to us and then take us through the brief.

LONDON COUNCIL OF HOME AND SCHOOL ASSOCIATIONS

Mrs. Kellie: We are members of the brief committee from London Council of Home and School Associations. Our president, Mrs. Joyce Bennett, sends her regrets that she cannot be here today.

I am Vina Kellie, past president of London council. On my left is Marian Obeda, who serves on the council executive as area chairman. On my right is Mary Bawden, also from London. She is also vice-president of the Ontario Federation of Home and School Associations and came with us to help today.

The London Council of Home and School Associations is an umbrella organization formed by elementary and secondary home and school associations representing 28 communities in the London public school system. Representatives from this council observe and participate at all standing committees of the London Board of Education, as well as several municipal committees and boards. We actively support the goals and work of our federation.

After I read the introduction we will go through the brief, since you have not had an opportunity to read it.

Members of the London Council of Home and School Associations have always stressed the importance of providing all students with equal opportunity to receive quality education and services so that they can achieve the credits they desire for post-secondary education and skills for the work place.

We strongly support the provision of the following for all students: the widest possible selection of subject choices and options; well-

qualified teachers; well-equipped resource centres; remedial assistance and guidance services; and classes small enough that we do not lose the personal contact between student and teacher. Our constant goal must be the best educational opportunities for each child according to his or her physical, mental and social needs.

11:10 a.m.

We met with the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario and recommended that funding be delayed to give time for public input. We were advised that the commission's mandate was not to delay but to implement. We feel that if our recommendation had been followed, it would have given time for study, and perhaps public reaction to Bill 30 would not have been so strong or divisive.

The best interest of the students of Ontario would be served by one single secondary public system, which would provide free, open, non-sectarian education to the youth of the province. Such education would continue the development of tolerance and understanding of the various races, creeds and cultures in our multicultural province.

These multicultural objectives are also in keeping with the Ontario Schools, Intermediate and Senior Divisions guidelines, particularly the goals in section 2.8. Some people argue that Roman Catholics were given a constitutional right to have their own separate schools over 100 years ago. Just because it was right in 1867 does not mean it is right in 1985. In this century, a lot of progress has been made in eradicating discrimination of all sorts. Why is it, then, that we in Ontario still promote and protect religious discrimination in our school system?

Bill 82 brought students back into the system. One of the reasons was to overcome society's discrimination against our special children. Now Bill 30 is taking Roman Catholic secondary students out of the system. Will this again increase prejudice and misunderstanding?

As parents, taxpayers and Ontario citizens, we feel it is time to stop wasting tax dollars to maintain two publicly funded systems. It is time to stop discriminating against Jews, Protestants, Muslims, Buddhists, agnostics and atheists by not providing each of them with their own publicly subsidized separate schools. It is time for one public school system.

We have a responsibility to the students of Ontario. They must not become the losers as a result of Bill 30. We wish to be assured that

education dollars end up in the classroom and not in administrative costs.

For that reason we respectfully submit our comments and recommendations. Mrs. Obeda will read the section on programs.

Mrs. Obeda: We wish to stress the importance of providing all students with equal opportunity to receive quality education and services so they can achieve the credits they desire for post-secondary education and skills for the work place. The widest possible choice of programs and courses should be available and freely accessible to all students.

Recommendation 1 is that all students be allowed to attend the school of their choice.

Former Premier Davis proposed that a full range of programs be provided by the separate schools. Does Bill 30 give the Roman Catholic board a choice or does the board have to provide a full range of programs at all levels of difficulty? It is our concern that this may not be practical in some areas, such as special education, technical programs, French-language education and so forth.

Small or isolated schools, which may be further reduced in size as a result of funding, will experience program cuts. If the development of high-cost programs is not controlled by regulations in an area where two boards operate, there will not be enough students to make some programs viable. Duplication of programs is both unnecessary and costly.

We agree with our board's recommendation of designated programs, which should be developed by only one system in the local area. Local agreements should be reached regarding the board responsible for designated programs. Such programs could include technical education, business education, trainable mentally retarded education, vocational education, continuing education, French-language education and so forth.

Recommendation 2 is that guidelines be established whereby certain high-cost programs would be designated to be provided by only one board in a local area.

Students must in the spring choose their fall programs based on the board's planning statistics at that time. It is possible that in September population shifts will reduce the number of students registered for particular programs to the level that they cannot be offered. Each board may have an insufficient number of students requesting a program. Together, coterminous boards may have enough students to make programs viable. A spirit of co-operation must be encour-

aged between boards so that the planned programs of students will not be destroyed.

Mrs. Bawden will read our concerns about student access.

Mrs. Bawden: If two systems are publicly funded, a student should be able to attend the school of his or her choice, regardless of religion. There should be no discrimination. Any student requesting an exemption from programs and courses of study in religious education should have that request granted. To force a student to take religious courses is a contravention of the student's rights.

The legislation will provide grants to a Roman Catholic school board to operate a French secondary school transferred from the public board. We wish assurances that non-Catholic francophone students will not be denied access due to space limitations.

Recommendation 3 is that non-Catholic francophone students not be denied access due to limitation of space to any school transferred to the Roman Catholic school board.

Why are Roman Catholics more entitled to share grants than any other denominational group? If other privately operated schools are funded, who will be left for the public school system? This would fragment our society further, causing divisiveness and encouraging bigotry. This we cannot afford either financially or socially.

Mrs. Kellie: In this rapidly changing technological world, we feel it is of utmost importance for all students to have the best qualified teachers. Declining enrolment, compounded by the loss of students to the Roman Catholic system, will result in the loss of younger staff and public boards being unable to hire newly graduated teachers. Many talented students may be discouraged from preparing for the teaching profession. This is a great concern to parents.

The situation of teachers being placed on a designated list, but not teaching could be totally demoralizing for the teachers, as well as a waste of taxpayers' money. The full cost of protecting the teachers on a designated list should not come out of the ordinary budget of a board. This cost is not the responsibility of the local public school ratepayer. The government of Ontario should set up a special fund for this purpose from a source other than the education dollars.

We cannot accept the placing of a time limitation such as 10 years on the hiring of non-Catholic teachers by Roman Catholic boards.

Recommendation 4 is that every effort be put forward to negotiate a solution to this problem that is fair to every teacher in order to avoid any possible disruption of classroom activities.

Recommendation 5 is that the cost for the staff on the designated list must not come from education grants.

Recommendation 6 is that there be no 10-year limit placed on the hiring of non-Catholic teachers by Roman Catholic school boards.

We have concerns about trustees. Section 136i dealing with membership on the public board needed some clarification. The ministry news release dated September 5, 1985, made several points clear. However, many issues with which public school boards will be dealing during the phase-in period could place these trustees in a conflict-of-interest situation. This is unfair both to the separate school ratepayer representatives and to the public school ratepayers. Additional conflicts may arise in view of the possible addition of French-language trustees.

Mrs. Obeda: We have concerns about the power this bill gives to the planning and implementation commission. We believe policy decisions regarding extension of funding should be made by elected representatives. To retain this commission for a 10-year period would add costs that must not be charged against the educational system.

Many areas in the section are permissive. For example, the word "may" is used frequently. We feel this gives too much power to a nonelected body. The ultimate responsibility must lie with the Minister of Education.

Recommendation 7 is that the commission should be responsible to carry out regulations and guidelines approved by the minister.

Subsection 136s(5) gives the commission the power to prepare and issue guidelines to govern the designation of staff no longer required by the public board.

11:20 a.m.

A question we have is should the minister issue regulations to govern the designation of staff? In subsection 136t(2) the commission may require Roman Catholic boards to file implementation plans regarding programs, facilities, staff and so forth. In subsection 136u(1) the commission may hold public meetings. Should this not be the mandated role of the commission?

Our London board has guidelines on school accommodation and closure. The Ministry of Education memorandum 1985:B5 places a freeze on "sale of property to another board" and encourages leasing to meet short-term needs

while the ministry reviews procedures. We feel that clear guidelines must be established regarding the sale and transfer of property, keeping in mind as well that the Ministry of Education has a stake in these property values.

Will the commission respect the school accommodation guidelines adopted by boards of education? How can we be assured that, when the planning and implementation commission is assisting in negotiations between boards, there will be input from all parties involved, that is, a representative from the staff involved?

Recommendation 8 is that the planning and implementation commission must hold public meetings concerning school closings or transfers so that all parties involved have input.

Will Roman Catholic school boards have the right to dispose of or mortgage transferred secondary school property?

Recommendation 9 is that clear, fair guidelines be established regarding the sale and transfer of secondary school property, and that provisions for retransfer be included.

Recommendation 10 is that Roman Catholic school boards be required to adhere to the same criteria as public school boards regarding the disposal and proceeds of sale of transferred property.

It seems unrealistic that a nonelected commission should have the authority to appoint a tribunal and delegate responsibility to the extent that Bill 30 gives power to the planning and implementation commission. We strongly urge the committee to review with care the role and mandate of the planning and implementation commission.

Mrs. Bawden: Bill 30 proposes the sharing of legislative grants that are already stretched to the limit. If the proposal regarding designated programs is not implemented, there is a concern that phase-in costs should be adequate to provide equipment and staff. The concern also exists that public school boards faced with a loss of revenue, both grants and assessment, must be provided with adequate funding to replace antiquated equipment.

Recommendation 11 is that if the proposal regarding the designated programs is not implemented, funds be provided to both boards for new or updated equipment where needed.

The provincial government has supported the high quality of education by assuming the responsibility, through weighting factors and grants, of ensuring that all children in Ontario, from the smallest remote northern communities

to the large urban areas, have equal access to educational resources and opportunities.

We are concerned that Education Statistics Ontario, 1983, Table 8.01, page 163, shows a decrease in the percentage of school board expenditures covered by general legislative grants as follows. Before I read the figures, I would like to insert a comment. Although that booklet is issued for 1983 and contains 1983 figures, the fine print at the bottom of the table says 1983 figures are estimated, so we have used 1982 figures.

For public schools in 1975 it was 53.39 per cent and in 1982 it fell to 41.32 per cent. For Roman Catholic separate schools in 1975 it was 84.89 per cent and in 1982 it was 80.62 per cent. For secondary schools in 1975 the grants represented 58.49 per cent of the cost and in 1982 the figure had fallen to 44.32 per cent. For all schools it averages out in 1975 at 61.32 per cent and in 1982 at 50.50 per cent.

As taxpayers we know there is only a limited supply of money. Implementation of funding to the Roman Catholic secondary system, providing a dual education service, must not weaken public education by fragmenting the education dollar. This will be detrimental to the students and too costly for the taxpayers.

Another concern is that the implementation of the Roman Catholic secondary school programming may have a limit placed on funding. We agree with former Premier Davis when he said, "Our ultimate objective will be one of providing high-quality education at the lowest possible cost to the taxpayers." It was reassuring when the Minister of Education (Mr. Conway) told the Legislature on July 4, 1985, "Public boards will be provided with additional provincial grants to offset specific costs related to the transfer of students."

Although Mr. Conway says that grants will be increased, he does not tell us how the government plans to fund the increase. This additional funding must be new money and not dollars generated by inflation or a redirection of funds already being received by our school board. Funds must be forthcoming, not only during the transition years but also during the stabilizing years to follow, so that education dollars end up in the classroom and not in administrative costs.

Recommendation 12 is that funding be ensured by the Ontario government not only for the transition period but also for the 10-year period covered by Bill 30.

There are many Roman Catholic students enrolled in grades 9 and 10 of public secondary

schools. Some of these students may wish to finish their education in these schools. This option should be open to them, and we believe it is in Bill 30. Tax support should not automatically be transferred. Separate school supporters should have the privilege of designating their taxes for elementary and secondary school purposes separately.

Recommendation 13 is that Roman Catholic students be allowed to attend the school of their choice.

Recommendation 14 is that a method be established which will allow education taxes—residential—to be divided for elementary and secondary levels and allocated to the school system which a student attends for a school year. Multi-children families might have students in both elementary and secondary systems.

Vina will present our conclusions.

Mrs. Kellie: We were disappointed that we could not be given time on your agenda when the committee was in London. We wish to thank the social development committee for the opportunity to express our concerns and recommendations today. We hope you will give them serious consideration as legislation is prepared for third reading.

We have watched many of the televised sessions and appreciate that we have been able to watch the committee in action and to learn that you also have concerns about Bill 30 as it currently reads.

In conclusion, we feel we must reiterate that any forthcoming legislation must be in the best interest of the student. That is why we are all here, to ensure that each child has the best educational opportunities according to his or her physical, mental and social need. We now would welcome your comments.

Mr. Chairman: Thank you Mrs. Kellie, Mrs. Obeda and Mrs. Bawden. I am really sorry we could not accommodate you in London. As you know, we tried to work in a couple of extra groups as we stretched our hours, but we were not able to get everybody in and we are glad you were able to come to Toronto to see us.

I am a little worried about you watching us on TV as well. That is a little unnecessary punishment for you to have to go through. As a matter of choice, you could always turn it off or turn to one of the other soap operas.

Are there questions from committee members?

Mr. Allen: We did have a good time in London. It would have been better if we had heard everybody who wanted to be heard there.

I will take a couple of moments to respond to a couple of questions; for example, your concern about non-Catholic francophone students, and your concern about the en bloc transfer of schools and the implications of that for non-Catholic staff and non-Catholic students. We will really be looking at that closely.

Your idea of designated programs in local areas is a good one, and I think we will want to look at that. It is a very good way of approaching that question of short dollars and expensive programs and how you deliver them.

11:30 a.m.

Should the minister issue regulations to govern designation of staff? Yes, that is going to have to be necessary; there is no question about that.

Could I come back, first of all, to a note in your brief and then ask you a question? I would like a response to both the note and the question.

You make a point about our responsibilities to the students of Ontario. All of us who have wrestled with this problem have tried to be as comprehensive in our view as possible. We are also aware that many of the OSIS objectives in the separate school program, which you say carry certain kinds of obligations upon the public system, also lie very heavily on the separate school system.

For example, the last we have quoted are from this OSIS 1984 document, "To help each student develop esteem for the customs, cultures and beliefs of wide varieties of societal groups;" and then some of the implications of that, such as respect for native peoples, English and founding peoples, multiculturalism, national identity and unity, and I quote again, "To develop values related to personal, ethical and religious beliefs to the common welfare of society."

I am not sure I would want to read it into your brief, but are you telling us you think the separate school system, mandated to provide all those values and those broad perspectives, in point of fact is not going to do so and will not do so in the delivery of secondary education, and therefore will be a divisive force in our communities?

Mrs. Bawden: I think you have read something that is not intended to be there if you feel we are denigrating the separate school system in that way. We feel the very fact we separate children helps that to happen. To ensure peace, very frankly, we need the children in one schoolyard.

Mr. Allen: We have heard that point of view, but I was not sure whether it was that kind of judgement or a judgement on their delivery of that kind of value system under OSIS.

We have had presentations from a number of public boards which have told us that part of the problem with respect to the growth of private schools and some of the movement towards separate schools has been the diminishing place of religion in the public system. They would like very much also to offer a program of secular religious studies as an option in the secondary program, if I could put it that way.

As a home and school organization with pretty wide contacts among parents, do you find that is an opinion shared among parents too? Would they like to see a structured program of religious education for all religions, studies in ethics and values and so on, as part of the regular program of the high schools in particular in Ontario?

Mrs. Obeda: I believe our schools have such courses available as options to our students. We feel that is the way it should be; the courses should be there and students should have the choice of taking them or not.

Mr. Allen: Which options are offered in your board area? I know world religion is not widespread but it is frequently offered in a secondary school. Are there others?

Mrs. Obeda: As far as I know, that is the only one.

Mr. Allen: Has the Home and School Association of Ontario studied this question and issued a paper of some sort on it at any time?

Mrs. Bawden: Not to this point. I believe if you were to go to the back of the brief you would find we have many documents supporting values education and requests for that, but on the question of religious education as such we do support the position that it should be a student's

choice to take it, and basically that it should be available.

Mr. Allen: Thank you very much.

Mr. Chairman: Are there any further questions?

On behalf of the committee, I thank you again for a very thorough brief from the overall association, and from some of your other member groups around the province which have taken a very precise look at this legislation and have given us some very good ideas about ways we can improve it.

We appreciate your coming from London today. I hope you manage to get a bit of fun in Toronto as well as participating with us; although with your addiction to us you may want to sit here all afternoon, who knows.

Mrs. Kellie: We have watched many meetings on TV and we have watched many presentations.

Mr. Chairman: Then I would suggest you go see a movie or go shopping instead.

Mrs. Obeda: We have found it quite informative and quite helpful because we are glad to know you also have concerns.

Mr. Chairman: Considering the kinds of recommendations you are making, I am sure you have also been following some of the evolution of discussion at this level. Thank you again, very much, for coming.

Mr. Sheppard: We invite you for lunch and our chairman will pay for it.

Mr. Chairman: Just put it on the bill for Northumberland-Durham and that will be fine.

The committee recessed at 11:36 a.m.

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No. S-62

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act



First Session, 33rd Parliament

Thursday, October 3, 1985

Afternoon Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Tuesday, October 3, 1985

The committee resumed at 2:02 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: We will resume as promptly as we can. Our first presentation is by the Knights of Columbus of Niagara South. Mr. Shepherd, would you like to introduce your colleague and then take us through your brief?

KNIGHTS OF COLUMBUS OF NIAGARA SOUTH

Mr. W. Shepherd: I am Bill Shepherd, the past Grand Knight of the Sacred Heart Council 2319 in Thorold. To my right is Mr. Glen Doherty, the district representative, our district deputy, for the Ontario State Board, Knights of Columbus. He is here to give me a little bit of moral support this afternoon.

Mr. Chairman: Just proceed any way you like and then I will open it up for questions after you conclude your remarks.

Mr. W. Shepherd: The Knights of Columbus of former Welland county, now the jurisdiction of Niagara South, appreciate the opportunity to express support for Bill 30, An Act to amend the Education Act, which essentially is the end of a continuous pattern of legislative remediation for separate schools which has been taking place in this province since 1841.

We, the Knights of Columbus, commend the Minister of Education (Mr. Conway) and the members of all three political parties for their support of the completion legislation for the final two years of the separate school system. This is a historic and very important chapter in a long series of legislative changes over the past 150 years.

The initial settlers to our province, other than the United Empire Loyalists, were Catholic Scots settling largely in the Kingston area, along with Irish Catholics settling in various parts of the province. These settlers were largely illiterate, due to the denial of educational opportunities inflicted upon them by the penal laws of England. In coming to a new and undeveloped

land, they were determined to rid themselves of both poverty and illiteracy.

Education for them was essential, and equally as important was the need that the newly arrived immigrant have complete control over his educational facilities. In no way was he prepared to pass into other hands the power of schooling. In his midst, the most learned individual to whom he could look for leadership and support was the parish priest who usually took up the cause.

At the same time in history, there was an international awakening to the need for mass education systems. The development for such a system for Ontario was placed in the hands of a competent individual, Dr. Egerton Ryerson, a Methodist minister. After exploring the schemes in other countries, Ryerson settled on a single nonsectarian system, funded by taxes levied on all people, open and free to all. He never wavered in that dream.

When political pressure forced any compromise, he gave it grudgingly and so cleverly phrased that local administrators could find no room for change. Frictions of vast proportions ruled the day. While many of the administrative problems attendant upon the development and growth of his scheme were solved with the passage of time, that of the dissident and separate schools remain to this very day.

This paper is intended to present the overall struggle through local historic situations. Among the early undertakings of Father Alexander MacDonnell, later Bishop MacDonnell, was the establishment of a school in Glengarry county. This school commenced in 1817 and was designed to train both cleric and lay students and later, upon its removal to Kingston, became known as Regiopolis College.

As evidence that his school was more than a seminary for clergy only, it is noteworthy to point out that Ontario's first Premier, John Sandfield Macdonald, and Ontario's first Lieutenant Governor, Donald Sandfield Macdonald, were both graduates of this school.

Regiopolis College also received support from public funds up to 1866, one year before Confederation and five years before Ryerson's High School Act of 1871, which limited the availability of secondary school education contrary to the terms of Confederation.

The development of the separate school system at Belleville is typical of the early attempts to provide education for Catholic citizens. The first resident pastor at St. Michael's Belleville, Rev. Michael Brennan, received some funds from Bishop MacDonnell in 1831 for payment of a schoolmaster. This was part of a grant MacDonnell was receiving from the British government for assistance to his clergy and schoolmasters. From that day to this, there has been a parochial school at St. Michael's. The St. Michael's story has been repeated all over Ontario.

Ryerson, while developing his dream, was forced to recognize the existence of schools prior to his time and, while he concluded that the populace was demanding separate schools based on religious affiliation, he was not inclined to allow them for long. He knew that his trump card was funding.

While he allowed separate schools to come into existence, he was able to choke them off through the meagreness of grants and, in particular, the denial of full revenue from taxation. Only the Catholic systems were capable of survival. The limited grant and what the taxation base allowed were supplemented by the ratepayers' determination with funds from special collections, fund drives or whatever, for the past 150 years.

The Articles of Confederation were looked to as a solution to the long and troublesome history over school funding. In a *Globe and Mail* article on May 9, 1985, Dr. Elgie is quoted as saying that Canada was built without battles on three basic principles: an uneconomic railway, acceptance of Quebec and acceptance of separate schools.

Subsection 93(1) of the British North America Act states in part, "Nothing in any law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union."

History, as well, recorded the Ryersonian tactics of stalling, dealing and reinterpreting all legislation following the act of Confederation. We are, to this day, awaiting the full completion of our separate school system.

2:10 p.m.

In attempting to evaluate all the historical, legal and political sentiments surrounding this issue, may I point out that most of the arguments advanced today in opposition to your proposed legislation are either of ancient vintage, not valid

then or now, or new ones that are advanced by many strong and vested interests.

Of the old objections, the first is that to fully fund the separate school system will destroy the public school system.

The provision of full funding for the final one seventh of the separate school system will not have a negative impact on the public high school system. There is a commitment on the part of everybody that no action which is proposed in the provisions for the completion of the separate school system will jeopardize the public school system.

The second objection is that funding of the Catholic separate school system will lead to a demand for funding by other sectarian school systems.

This is also a complaint of long standing. The facts here are that other sectarian school systems have no historical or constitutional vested rights which could be claimed.

In the realm of new objections, first, fully funded separate schools should accept teachers and pupils of other denominations.

Separate schools are Catholic schools and possess a distinct and special nature. Last December, the Supreme Court of Canada, in upholding the dismissal of a teacher by the Vancouver Separate School Board, stated in part that the Catholic school difference does "not consist in the mere addition of religious training to the academic curriculum." The role of the teacher is fundamental to the whole effort. The school depends not so much on subject matter or methodology as on the people who work there, and teachers are required, "in imitation of Christ, to revere the Christian message, not only by work, but also by every gesture of their behaviour." This takes on significance today "because of the inadequacy of family and society."

The hiring of non-Catholic teachers is not a new thing. Our own board, the Welland County Roman Catholic Separate School Board, has hired non-Catholic teachers, even non-Christian teachers. As to non-Catholic students, they have always been welcome. Space was the usual factor in the nonacceptance of any who wished to enrol. That policy is that of today, as well. However, I would hasten to state that the particular purpose of the Catholic school would need to be maintained. Therefore, individual students who would enrol of their own volition must accept the system as they find it.

Most important, however, would be the need of any group of non-Catholic students who, as a

result of school ownership, might find themselves forced to attend a separate school. In this case, special consideration to their rights is provided.

The second objection is the loss of teaching positions. Perhaps the only new objection that could be truly considered would be the loss of a teaching position. The loss of employment can come from two sources. The declining enrolment as a fallout of the passing baby-boom generation is real, and the accompanying reduction in teaching positions is inevitable. It must be pointed out, however, that this decline in teaching demand has nothing whatever to do with the full-funding issue.

One must face the fact that the full-funding issue might add to the teacher surplus situation. The Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario has adequately laid down the rules and regulations concerning this situation, which we find acceptable.

The saga of our public and separate school history is the story of an attempt to provide more education for our developing nation. For all its blunders and faults, and for all its prejudices and sorry bickering, considerable success has attended it. This success has been the result of dedicated people from within and outside both systems. Parents in particular have been most dedicated to their respective school systems.

At the start of this paper, I pointed out how parents were responsible for the existence of the separate school system. Canada is not a homogeneous society. Parents have a widely diverse set of value systems and beliefs. They teach these values in the home and they have a right to expect these values will be taught to their children.

The world today is in a state of rapid change and the needs of today's parents and their children are not those of the past. Early childhood education systems are in growing demand. New systems of training and retraining for employed and unemployed alike are a vast growing need to keep a productive work force in place. Systems for adult and leisure-time learning need to be fully established to serve a populace that will have more leisure time than ever before, due to the automation of industry and early retirement plans.

Might I suggest that the timing of your proposed legislation is excellent. While it will close and bring to an end an era in the development of mass education, at the same time it could help open a new one. All involved should use the occasion to take stock of our resources

and to plan to utilize those surplus, well-trained, and new and energetic facilities in the development of new systems more appropriate to the coming century rather than to stand and haggle as slaves to past history.

In conclusion, when the time comes for the final drafting of your proposed legislation, that will be a time to avoid the pitfalls of the past and to reach out towards the new era you can help create.

May I ask the committee to remember that parents have the first responsibility for the education of their children. The school supplements the parents' values and beliefs; it does not displace them. The government's role, therefore, is to assist parents in providing the best education system for their children.

The separate school system has survived for 150 years because of parents. Legislation will successfully conclude this long-raging school question.

Final adjustments to the legislation must enhance the system, not dilute it simply to get it passed.

Finally, history upholds you in your actions towards full funding to our schools and we trust that you will resolve the question successfully for the benefit of all our young people who seek the education of their choice. Thank you, gentlemen, for allowing us to present our views and opinions to you today.

Mr. Chairman: Thank you, Mr. Shepherd. For once, we actually have one of our female members as well. I presume you would like to thank Ms. Bryden as well. Thank you for the overview or historical perspective you have brought to this.

Can you tell me a little about the role of the Knights of Columbus in your area in terms of your interaction with the school system? Have you been involved in fund-raising projects? How would you describe your relationship with the separate system at the moment in the Welland area?

Mr. W. Shepherd: The Knights of Columbus have been affiliated with the schools for a long time. We run the basketball free-throw program throughout the province and we also uphold scholarships for students who will go on in education.

Mr. Chairman: Is that post-secondary education?

Mr. W. Shepherd: Yes.

2:20 p.m.

Mr. Offer: Thank you for the brief. On a point of information, I would indicate that a couple of days ago the chapter of the Knights of Columbus in Mississauga presented me with a petition in support of funding. It was signed by 2,311 people, so you have been doing your work out in the communities.

Mr. Chairman: You have not submitted that to the committee for our files yet, I notice. That is very kind of you.

Mr. Offer: No, not yet. We are still trying to pick it up.

Mr. Chairman: You need a weight-lifter to help out.

Mr. Offer: I would like to get some opinions from you with respect to what you indicate concerning the non-Catholic students, which you talk about to a degree on page 5.

We have heard from other persons about a possibility of allowing universal access to the separate schools, with the provision that those students could not opt out of the religious class except for the reasons within the bill, those being program or if they were going to the separate school out of some necessity. However, if it were voluntary, they would have to remain in the religious class.

I am wondering whether you perceive any danger to the separate school system in the event there was a universal access for all students for whatever reason.

Mr. W. Shepherd: At present, I believe the system works quite well. Any student who comes into our system voluntarily accepts that as such. I do not see any reason for changing that, and I believe the planning and implementation commission is taking it well into consideration.

Mr. Offer: There would be no danger posed to the catholicity of the separate school system in the event there were access, the right to attend without the space-availability addendum, basically. One could attend just as, in the public schools, there is always a space.

Mr. W. Shepherd: Since it is a separate school system, we must provide first for our Catholic students. When space is available, others can come in. If they do so on their own, then they should have to do with what the system has to offer.

Mr. Offer: Thank you.

Mr. Chairman: Perhaps, when we have the Welland County Roman Catholic Separate School Board before us, we can find out about the change of policy that apparently took place, which we learned about a day or so ago from the

Ontario English Catholic Teachers' Association, with respect to the automatic right of exclusion or a person's right to opt out of religion courses, which has been removed. Mr. Pierce had a question.

Mr. Pierce: On page 4, item 2 in the "old objections," in reference to other groups requesting funding for schools, you say they have no historical or constitutional vested rights which could be claimed. However, on page 7, you say parents have the first responsibility for the education of their children. The school supplements the parents' values and beliefs. Would this not mean the government's role is also to provide funding for educational purposes other than Protestant and Catholic schools?

Mr. W. Shepherd: I think that should be taken up at another time. It is not something we are concerned with at present.

Mr. Pierce: I just make a point of it because in your brief you say there is no argument to fund other than the Catholic separate school system.

On page 5, you make reference to non-Catholic students and even non-Christian teachers; then that paragraph concludes: "Therefore, individual students who would enrol of their own volition must accept the system as they find it." How do you find that in relation to teachers who are non-Christian? How do they project their own feelings to the students in a system that promotes education in religion?

Mr. W. Shepherd: At present, I do not think there have been any problems. As you know, there are several non-Catholic and non-Christian teachers in the system who have been hired by the school boards and, as I mentioned, by our own board. We found they have no problem projecting themselves as good people. They put those ideas across to their students. There have been no conflicts between the staff and the students.

Mr. Pierce: Some presenters of briefs have said, on behalf of their own schools in the Catholic system, that where teachers are non-Catholic or non-Christian, when religious education comes into effect, the teachers act as hall patrols and monitor whether kids are skipping out of school or something but they do not participate in the actual religious program. Is that happening in your area?

Mr. W. Shepherd: Not to my knowledge. I have not seen that happen. In fact, I think the teachers who are there are projecting very well to the students; they are not just patrols in the hallways.

Mr. Epp: Mr. Shepherd, can you give us some idea of how many non-Catholic teachers you have in your system?

Mr. W. Shepherd: I do not know that offhand. I know there are quite a few. They have had no problem; they have been hired over the past few years and they are still in the system right now and progressing quite well. I know of two in a particular school.

Mr. Epp: Can you give us any indication of the kinds of positions they hold? In other words, how high at this point have you been prepared to promote them and how high would you be prepared to promote them? Would you be prepared to have a non-Catholic principal of your school?

Mr. W. Shepherd: I think that is something for the planning and implementation commission to take into hand and decide. I have no objections whatsoever.

Mr. Chairman: Mr. Epp, you might pose that question to the Welland County Roman Catholic Separate School Board when it comes before us, two deputations up. They might have the specifics on the policy there.

Mr. Epp: I was just asking because this was mentioned here.

Mr. Chairman: If there are no other questions, Mr. Shepherd, thank you very much for coming. Obviously you had all the moral support you needed. You dealt with things well. Thank you, Mr. Doherty, for coming as well. We appreciate it. We seem to be getting a fair number of deputations this afternoon from the peninsula; so we will hear more about the situation in the Welland area.

Mr. Chairman: Our next presenter is Mr. Mindorff, who is from Fort Erie; it is item 776.

MR. AND MRS. G. MINDORFF

Mr. Mindorff: My wife and I worked together on this massive project. I hope you do not mind if we present it together.

Mr. Chairman: No. We would enjoy that very much.

Mr. Mindorff: Thank you very much. This must be the greatest display of participatory democracy we have seen since our government tried to shortchange our senior citizens. I hope it is a sign of the end of the silent majority.

Mrs. Mindorff: Let me first mention our bias, my position, our position or where we are coming from, so to speak.

We are separate school supporters from the town of Fort Erie, roughly a half-hour bus ride from the nearest Catholic high school. We have a larger-than-average-size family. We have had the not-too-unique experience of having some of our children attend the public high school and the remainder graduate from the Catholic high school. We know the difference. We appreciate the difference. We would not have one negative word to say about either one.

We will say this: The first three children did not have the separate school available to them. The remaining eight could not be pried loose from Notre Dame senior school. All of the last eight earned every nickel of their tuition in summer and after-school jobs. We could not have afforded the fee, which is now close to \$700 per student per year.

They were very fortunate to be able to do this. Many of their fellow students from the separate primary school had to take the course of least resistance because they could not raise the money and did not want to change schools at the end of grade 10.

2:30 p.m.

Because of the long bus ride, students of the separate high school are denied much of the school's extracurricular activity, although the bus ride was extracurricular activity in itself, some of which we are not too proud of.

Mr. Mindorff: We do not mean to imply that the separate high school is one bit better than the public school, but it is different; there is no doubt about that. The Catholic system of education leans very heavily on the principle that parents are the primary educators of their children; they are responsible for their complete development: spirit, mind and body, not the least being the spirit.

Therefore, the school is just an extension of the home and teachers are really assistant parents. Most parents do not take their children aside once a week and give them a list of do's and don'ts. Good parents observe and gently guide their children all the time they are with them and lean very heavily on good example as the most effective teaching tool.

The separate school system provides regular periods of religious instruction, but the real teaching of their faith and morals is given throughout the week as applied to everyday life and as applied to the subject being taught. All day long the students are learning by observing their peers and their teachers, and therefore it is most essential that the teachers' philosophy of life closely resemble that of the school itself.

Mrs. Mindorff: Although we cannot imagine this scenario ever taking place, we cannot accept that a separate school board should ever be required to employ a teacher whose philosophy of life is grossly at odds with that of the parents. Surely the rights of the students and the parents supersede those of the teacher. There should be machinery for arbitration in such cases.

We cannot see this ever happening because we have been assured by board members in our area, who should know, that if all the Catholic school teachers in the public system were to transfer to the separate system, there would be a shortage of teachers in the public high schools. Even so, the separate boards have for years employed non-Catholic teachers and have indicated they intend to continue.

Mr. Mindorff: There have been some presentations to this committee that, to be charitable, are a little less than honest. For example, when it is suggested that thousands of jobs will be lost, they know very well this simply is not true. After completion, there will still be the same number of pupils and they will still require the same number of teachers.

It is very clear to us that the real worry of the teachers' federations is about the loss of members to another union and not about teacher employment, which is guaranteed by one of the six guiding principles of the proposed legislation.

I am concerned about unemployment, and I worry about unemployment, but the issue at hand is full funding. I was always under the impression that the schools were created to educate our children, not to provide employment.

At least one of the things that has brought on all this paranoia is the declining population. There simply are not enough children coming up through the system. It is hard to pinpoint the cause or causes. Are young people so afraid of the future that they dare not commit themselves? Has someone spread the word that children are a lot of bother and require generous lots of self-sacrifice on the part of their parents?

Maybe our runaway standard of living is forcing us all to become two-income families, making us all so busy we do not have time for this creative and rewarding experience. It may be we should arrange with Hydro for one of those massive blackouts that blanketed—if you will excuse the pun—New York and caused a minor baby boom nine months later. This demographic shift, this child shortage, is not just a local issue. The government of France has resorted to billboards with beguiling children's pictures on

them to try to induce families to have more children.

Mrs. Mindorff: Family-life courses are being taught at most Catholic high schools, and because the Catholic high school is an extension of the Catholic home, these courses can be more than pure biology lessons. Family planning here includes accepting children, if the opportunity arises, as the challenge and blessing they really can be, but these courses are only practical where there is a common philosophy to base them on.

Enough about the shortage of students. We can only say, if there is a shortage of children in our area, do not look at us; we have done our part.

Let us examine some of the negative comments that have been heard since these hearings opened. For example, it has been said that if all Catholics abandoned the public schools, there would not be enough tax base or pupils to maintain a viable public system. This is an admission that the maintenance of this unfair tax distribution is the only thing that is keeping the public system alive. We do not believe this to be true.

Strangely, we keep hearing that public money should not be used to support sectarian education and statements to the effect, "We do not want our taxes to support Catholic schools," and so on. I was under the impression it was our taxes that were supporting Catholic schools and some of the public ones too. If it were possible to direct taxes to the school on a person-for-person basis, the balance would lean in favour of the separate schools as more separate school supporters are in the middle-to-lower-income class, which is the area most highly taxed.

Mr. Mindorff: During the London hearings, the junior grade teachers expressed fear that the surplus senior teachers from the redundant public high schools would be taking junior kindergarten and kindergarten teacher positions, making openings in this field impossible to fill with newly trained teachers. I would like to make several points here.

First, every discipline of the universities and colleges is having trouble placing new graduates. Why should teaching be an exception? Second, we do not believe that with transfers to the separate school system and normal attrition, there will be a surplus of senior public high school teachers.

My third point is this: I do not believe any board should use teachers who have been trained to teach high school to teach kindergarten. To my mind, the first two years of school are most critical, and because of the special challenge of

teaching children how to learn and the new emphasis on teaching families to help their children to learn, the teaching of junior and senior kindergarten has become a highly specialized field and requires extra certification. The London primary teachers should know that.

To replace a highly qualified junior kindergarten teacher with an equally but differently qualified high school teacher would be disastrous for student and teacher. If there should develop a temporary surplus of high school teachers in any area, I would hope the ministry would make sabbaticals and bursaries available to those dedicated professional teachers who would like to upgrade and specialize.

If we have a surplus of newly graduated teachers, that is not really new and certainly not the result of full funding. If we have surpluses, well, this wealthy country has surpluses of many of our assets. What do we do with our surpluses? We share them with our less fortunate neighbours around the world.

Some of our people in southern Ontario are quick to criticize the American administration for its knee-jerk reaction to the growth of socialism in Central America. Our friends to the south are alarmed at the presence of Cuban nationals in Nicaragua. What is not coming out is that most of these visitors are teachers and teacher-trainers who have already worked wonders with the illiteracy problem of that country.

As we say, some of us are criticizing the United States for equipping mercenaries rather than the schools, but we in Ontario are missing a golden opportunity to offset this so-called communist influence because, as far as we know, only private and religious schools are exposing their teachers to this valuable experience.

Mrs. Mindorff: Up to now, one of the big plus factors of a separate high school has been the small, intimate size. We hope some public school supporters are going to discover that small is beautiful, and we hope our separate schools become more numerous rather than larger. When the principal does not know 80 to 90 per cent of the pupils by their first names, that school is too big.

It is true that in northern and smaller communities it is going to be difficult finding enough pupils to make a viable public high school, or a separate one for that matter. In most cases, sharing and special arrangements should be the challenge. We would be the last people to suggest that the shoe should be put on the other foot and that the public school pupils should be bused 40 or 50 miles to a public school that would

lack the amenities and special teaching facilities that the separate schools have traditionally gone without.

2:40 p.m.

Mr. Mindorff: The only dissenter in the Legislature to second reading of Bill 30 has been quoted as saying, "A second, educationally unnecessary and socially discriminatory secondary school system is being created." I am very sure he knows that Catholics have had separate schools for 150 years and that we do not want to start anything new, only to be allowed to expand and grow alongside the public system as written into the spirit of the British North America Act, the rules we have been playing by for the last 100 years. I might add that schools for basic literacy and domestic science were a feature of the convents in Champlain's settlements. In those days, that was considered a complete education. Now, grade 12 or 13 is considered basic.

May I digress for just a moment to pay tribute to the many religious sisters, some of whom spent their entire careers labouring in the separate schools of Ontario at greatly reduced pay? Some of them were criticized for overly strict disciplinary procedures. Those were different times, but their dedication to Catholic education is legendary and I am sure, given the unfair tax distribution that has existed until recently, our Catholic schools would not have survived without them.

Mrs. Mindorff: We are sure there is room for both school systems to grow in stature, if not in numbers, as we struggle to reach a just solution to this problem. In our sometimes acrimonious discussions we have overlooked the possibility of bringing on some of the most revolutionary teaching aids that have been brushed aside up until now, some of which eliminate the need for a classroom. There is a whole new program of junior and preschool family-oriented education waiting in the wings while we are here battering each other with our insecurities.

Mr. Mindorff: It has been said that our school boards should be amalgamated. I do not believe that would improve efficiency any more than regional government has improved efficiency, and would only distance the Catholic family's control over its extended home. I think both boards should meet regularly and share many things, such as purchasing and the development of new special programs.

It just may be that we should change our conception of school. Perhaps we should think of groups of pupils, teachers and boards as separate from the plant. Perhaps in the future we should

build auditoriums, gyms, libraries, pools and other community social amenities as public entities, perhaps under the Ministry of Citizenship and Culture, and group the classrooms as colleges around these facilities. This would allow much more flexibility and room for sharing.

This whole exercise is a challenge to the two systems. I do not see why, where numbers make a school viable or possible, we should not be able to extend some support to other schools of different philosophies as long as they can meet the academic standards of the Ministry of Education.

Mrs. Mindorff: To summarize, speaking as parents of a family with experience in both systems, we are anxious to see that parents who, as their natural right, choose to educate their children in a philosophy closely resembling that of their home should not be burdened with double taxation. Our oversupply of good teachers is certainly nothing to complain about. Like all other blessings, we should be anxious to share them with our less fortunate neighbours. Our Catholic schools are a rich heritage built up over many years of sacrifice by our forbears, and far from being an anachronism they are ever more necessary in an age of materialism when even children are sometimes considered a burden. Finally, we want for other families the choice of education we have attained for ourselves.

Mr. Mindorff: My friends, we mentioned earlier that children learn best by watching and imitating those they hold in high esteem. They are watching us now. We have here in this exercise the greatest opportunity to demonstrate for them faith and trust in each other, generosity toward the other's point of view and a real spirit of co-operation in building what we know will be a better education system for our children.

Mrs. Mindorff: Thank you for enabling us to present this brief.

Mr. Chairman: Thank you, Mr. and Mrs. Mindorff, for coming and sharing your thoughts with us. A number of things you talked about provoked my sense of humour. As to what goes on in school busing, I learned a great deal on my buses. I learned how to play euchre. I learned how to enjoy country music. That was when I was allowed to ride all the way home. There were several times when I did not manage that, as I recall, and perhaps those were the instances you were talking about.

I also liked the idea that you blame our declining school population on Ontario Hydro. That is the best argument I have heard against

going ahead with Darlington, and the need for more brownouts and blackouts. Finally, an idea that I am sure the teachers' federations would be interested in—you were only alluding to it—that surplus teachers go elsewhere, perhaps to Nicaragua, was something I picked up out of the last part. It would be an interesting thing to raise with some of our people later.

I actually have serious questions for you, though, from people like Mr. Miller and Ms. Bryden.

Mr. G. I. Miller: Mr. Chairman, it is kind of interesting to listen to a confession, too, of how things were when we were younger.

Mr. Chairman: I am only grazing the surface there.

Mr. G. I. Miller: I was interested in the comments on page 9, on sharing facilities. It has been discussed by the public school board in our area that the new facilities being provided would be built around playgrounds, sports fields and swimming pools, as you suggested. Do you think some direction should be given to the legislation so that this comes about?

Mr. Mindorff: What I am looking at is a future concept of schools. I look at school as a kind of a college and it could maintain its integrity and its catholicity if the classrooms, the principal and the staff were of one feeling. As for the mechanics of the whole building, I can see no reason they could not share. Such things as swimming pools do not have religion.

For example, they share the same public library downtown. If the public library was the school library and the school classrooms were built around the playground, around the outside or even in the same area, I can see where a lot of the mechanical parts and a lot of the plant could be shared, especially if it were divorced from the school as part of the Ministry of Citizenship and Culture, as the libraries now are.

Mr. G. I. Miller: Do you see it being made more workable by including in the legislation that this should be one of the requirements?

Mr. Mindorff: I do not really know enough about the mechanics of school buildings to know that, but it seems an idea that could work as far as I am concerned.

Ms. Bryden: I would like to congratulate Mr. and Mrs. Mindorff for bringing their views to us and sharing their experience of having used both sides of the dual system and having seen the problems on both sides.

Like Mr. Miller, I am intrigued by your reference to what might be called the hub system,

whereby all the facilities are grouped in one place with the two sets of classrooms around. While this would certainly answer the criticism that the two systems are divisive and separate children when they should be learning to grow together, do you think it would satisfy those Catholic parents who chose the Catholic school because they want a different atmosphere, because they want to preserve the Catholicity and their particular values? Would they accept this kind of a hub system?

Mr. Mindorff: I do not see any objection to it myself as a Catholic parent. I would not object to, as you say, the hub system where the schools themselves are located at the site and part of the plant that really has nothing to do with education, you might say—physical, swimming pool and so forth, that has nothing to do with it—they would use the pool at the school or share time. There would be nothing wrong with that. I do not say it can work. I do not see any reason it should not work. You know how much experience I have in running a school.

Ms. Bryden: It certainly also would answer some of the criticisms about costs if you could share a lot of those facilities and have community facilities in the same hub so they could be used by adults as well.

Mr. Mindorff: I think the Catholic school boards have long been willing to share shops and things with the public schools. I really do not know, but I am under the impression they have not had that much impetus to try to share, with pressure from the top.

2:50 p.m.

Mr. Offer: Thank you for the brief. The question I have is with respect to yourselves as parents. We have heard many comments from certain groups that the implementation of the funding may be a source of divisiveness within the community. Can you shed some light on what your children do after school hours and on the weekend? Were they able to associate and play with those in the public system and did you detect any problem in their associating with children from the public system?

Mrs. Mindorff: I do not think we are trying to establish an elitist society. With 11 children, I would be willing to say that our children's friends are mostly non-Catholics and there has never been any problem. I do not see prejudice between children or young adults. It does not seem to exist.

Mr. Mindorff: Can I add a thought to that? It is not really the children, rather it is the parents.

My son went out to a Liberal meeting. He has finished high school now and one of the adults there challenged him by saying, "You are going to destroy our public schools." This was an adult speaking to a child. This is a problem. He just brushed it off, but why would they think that? We have been around for 150 years and never destroyed it yet.

What I tried to get across was that it was the parents, not the children, who are causing the prejudice.

Mr. Sheppard: I must congratulate you for raising 11 children. I am one of eight. When I was going to public school, just up the road about a quarter of a mile or less was the Catholic school. We used to get into problems, but nothing serious and I am glad you said that you had three children who went to the public school.

Do you feel you can get too much religion in a school or not enough? When I went to public school, we had religion every morning for 20 minutes or so. There are some Christian Reform churches in my riding and they want funding. They claim that with Bill 30 going through they deserve funding because they are interested in religious education each morning for 20 minutes or half an hour. Do you as parents believe one can get too much religion in a school each day?

Mr. Mindorff: I think there is a saturation point that a child will accept, but I doubt that you would ever get too much religion in school.

The way I see it, the schools as they are now are different than they were at Confederation. When the schools started to form as schools, you had Catholic schools and you had Protestant schools. As time went along, they accepted a lot of other people who were not Protestant and they started to demand that religion be pushed aside. When you remove religion from schools, something else is going to move in. I do not believe there is such a thing as a school without a religion. I think the teacher is going to project his own religion, regardless of what it is.

I do not mean religion as a fixed philosophy, but rather as the teacher's style of life. When you do not have a philosophy of life that is written out and is more or less accepted, then anything goes and how can you complain about it? How can you say this is not right or that is not right? According to his philosophy of life, that is right. How can you dictate that in a public school where there is no philosophy?

Mr. Sheppard: I am not really asking the question about public schools. I am asking about Catholic schools because you are supporting this

bill. My question was, can you get too much in a school?

Mrs. Mindorff: We have one child left in Notre Dame and we have seven graduates. Most of them have gone on to post-secondary education. They did have formal religion classes in Notre Dame, but just for a certain period. There were other things that took longer, such as physics, chemistry and all those things. They took much longer than the religion class. Our experience is that when they went on to post-secondary education, it did not matter how much religion they had, they found themselves. They either lost themselves or they found themselves again. There was that transition. But too much religion, no, that was never their complaint.

Mr. Sheppard: I have one last comment. I just wanted to know whether you felt 20 minutes or half an hour was enough, because I really believe the majority of religion should be on Sunday at the church of your choice.

Mr. Chairman: Thank you for making your views known, Mr. Sheppard.

Thank you both very much for coming. It has been a pleasure meeting you and thank you for taking the time to come and spend it with us.

Our next presenters are from the Lincoln County Roman Catholic Separate School Board and the Welland County Roman Catholic Separate School Board. Do we have enough chairs there for you all? These are items 777, 221 and 222 with audiovisual assistance. The audio is at the end of the table and the visual is to the side.

Welcome. I do not know how you want to proceed, given that you are sharing the time. I am going to leave that entirely in your hands. Perhaps you could start off by introducing yourselves for the purposes of Hansard and then take it away. I will hold questions for both groups till the end.

LINCOLN COUNTY ROMAN CATHOLIC SEPARATE SCHOOL BOARD

WELLAND COUNTY ROMAN CATHOLIC SEPARATE SCHOOL BOARD

Mrs. Hendriks: First of all, I would like to take this opportunity to introduce the presenters. We have Dr. Albanese, chairman of the Welland County Roman Catholic Separate School Board; and Peter Ferren, director of the Welland county separate school board. We have Bob O'Neill, the director of the Lincoln County Roman Catholic Separate School Board; and myself, Mary Hendriks, chairman of the Lincoln County

Roman Catholic Separate School Board. We also have with us this afternoon some trustees from each of our respective boards who are present in the audience.

Mr. Chairman and members of the committee, the Lincoln and Welland county Roman Catholic separate school boards have combined their efforts in the preparation of this brief to the committee for a number of good reasons, which we shall explain and discuss as our presentation unfolds. We will read part of it and then we will summarize. We are reading the first part of the brief.

First, however, we wish to thank the committee for providing us with the opportunity to express our views to you on a number of matters that arise from the provisions of Bill 30. Both of our boards submitted individual briefs to the committee in July from trustees and ratepayers of Lincoln and Welland counties, providing you with an initial response to the plan for the funding of Roman Catholic secondary schools.

We come together before you today as representatives of the Catholic school ratepayers of the geographic area now known as the regional municipality of Niagara, where Roman Catholic separate elementary schools have been in existence for more than 128 years and where Catholic secondary education has been provided since 1861. Our boards are proud of our educational heritage in Niagara and of our accomplishments at both the elementary and secondary levels, despite the almost insurmountable odds and obstacles with which past generations of trustees and parents were faced in the exercise of their constitutional rights.

3 p.m.

The roots of the separate school system in the Niagara Peninsula go back to the years 1854 and 1857 for our two jurisdictions. The first school in the present Welland County Roman Catholic Separate School Board was a four-room frame building erected in Thorold in 1854. The first school in the present Lincoln County Roman Catholic Separate School Board's jurisdiction was a four-room school located in rented quarters in the then town of St. Catharines.

From these small beginnings some 13 years before Confederation, two modern, independent, highly co-operative school systems have evolved. They embrace the entire regional municipality of Niagara, employing approximately 1,350 teachers and support staff. Included in the totals are English- and French-language elementary schools and four Catholic secondary

schools with a secondary enrolment of approximately 4,100 students.

Dr. Albanese: The Welland County Roman Catholic Separate School Board, the larger of the two in Niagara, provides education programs for some 11,000 students in 39 schools, with approximately 800 teachers and support staff. It represents the educational interests of slightly in excess of 20,000 ratepayers and operates within a board budget of \$33.5 million from an assessment base of over \$119.6 million. Included in these statistics are English- and French-language schools and two Catholic secondary schools with a secondary school enrolment in grades 9 to 11 of 1,347 students.

The Lincoln County Roman Catholic Separate School Board provides education programs for some 8,200 pupils in 27 schools, with approximately 550 teachers and support staff. The Lincoln board represents the educational interests of approximately 13,000 ratepayers and operates within a budget of \$22.5 million from an assessment base of \$61,122,000.

It is important to note that the vast majority of our assessment bases are now residential. The location of the four Catholic secondary schools in the cities of St. Catharines, Niagara Falls and Welland can be seen on the map of the Niagara region attached to this submission.

Despite restricted separate school funding at the elementary level for many generations and nonexistent secondary school funding, Catholic parents have demonstrated the type of education program they wish for their children. Bill 30 provides both the degree of equality in funding and in program jurisdiction and the degree of fairness and equal treatment for both sectors of public education that have been the constant aspiration and the long-cherished hope of the Catholic community of Ontario.

In achieving equality with public secondary schools in program funding and jurisdiction, our boards acknowledge their responsibilities to the public secondary sector. As school taxpayers to public secondary schools to this time, we too have a keen interest in and a commitment to preserving and maintaining the viability and excellence of the public secondary system. We have committed ourselves to this end in our board plans, which we submitted to the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario earlier this year. The public secondary school system represents an important financial investment by all taxpayers in the

Niagara region, public and separate school supporters alike.

Mrs. Hendriks: We have chosen to summarize the next several sections.

Pluralism: Ontario and, indeed, Canada is a pluralistic, multicultural society with a diversity of backgrounds, races, creeds and colours. The differences among the peoples of Ontario are an enriching factor. The separate school system in Ontario has been an integral part of the education system for more than 140 years. It has been part of the diversity that has enriched our province.

The word "divisive" has often been heard during these hearings. Diversity and divisiveness are not synonymous. Catholic schools have received public funding for six sevenths of the full education program since before the beginning of this century. Our students and graduates are very much a part of their respective communities, whether in recreational activities, community work, places of employment, political office, etc.

With understanding, co-operation and acceptance on the part of all, there is no reason the funding of the final two grades in the Catholic secondary schools should now create divisive repercussions or influences. Alberta, Saskatchewan, Quebec and Newfoundland stand as examples of this statement. It will not be otherwise in Ontario.

Now we move to page 6 and the issue of justice. The present model of school funding fails to recognize that students in the separate school system require the same basic educational opportunities as their public school counterparts in a completed elementary and secondary school system. We believe Bill 30 will provide the remediation necessary to correct current inequality and provide equality of educational opportunity for all students in Ontario, irrespective of the branch of the publicly funded system in which they receive their education.

Dr. Albanese: Co-operation: both separate boards have committed themselves to working co-operatively with the Niagara South and Lincoln boards of education, our coterminous boards in the ongoing development of full programming. Since 1969 both boards have maintained mill rates equal to that of the public school taxpayers. With reference to limited resources, this financial commitment has been made to our ratepayers in spite of having little or no reserve funds and a lack of industrial and commercial assessment.

Feasibility: (a) Both of our separate school boards have met the requirements for year one of

the completion process as set down by the planning and implementation commission. (b) Co-operation: as stated, the first-year plans were developed in a spirit of co-operation and goodwill with our coterminous boards. (c) Realistic time line: we believe the three-year time line for full implementation is realistic and practical. Bill 82 took only five years for implementation over 13 grades within each school system of this province. (d) Justice: we believe Bill 30 effectively addresses the inequalities and injustices of the past and that once it is passed into law as soon as possible, we can get on with the business of education and address major issues. (e) Guarantees: Bill 30 does answer the major concerns of the public secondary school boards and provides guarantees of student accessibility, space permitting. It guarantees security of tenure for teachers and other employees and assures the continued viability of the public secondary school system.

Mrs. Hendriks: Inconsistency: it would appear there are a number of obvious inconsistencies in many of the positions taken by those who would deny the separate school system equality in funding. Some of these are as follows:

(a) Bill 82 allows separate school boards to educate their students to the age of 21 years. It would seem incongruous to maintain that 14 to 16 years of age for regular secondary school students is now an appropriate limitation for separate school boards, as has been suggested.

(b) The secondary education review project proposed in its recommendation 89 that, "students in grades 9 and 10 of the separate schools be defined as secondary school students for all purposes, including funding." This recommendation resulted after the various committees of the project considered this question at length. Most objectors to completion have not mentioned this recommendation.

(c) We are somewhat confused by the demands of trustee and teacher organizations for guarantees that every student in Ontario have open access to a Catholic education. While we do not project a mass exodus of pupils from public schools to our schools, our confusion is enhanced by the fact that many public boards already fear a major decline in their enrolment of Roman Catholic students. In addition, one of the major concerns for separate school boards and their students is a lack of adequate facilities. If the open access were to lead to even greater enrolment for Catholic secondary schools, even more facilities would be required.

In Niagara all four Catholic secondary schools are already graced with the presence of many portable classrooms at each school. There is no question that even with the present enrolment, the availability of adequate facilities is already a problem for each of our boards. In the light of this, section 136o is fair and reasonable in its approach to student access.

Resources: both space resources and revenue resources are concerns to us and we have detailed them in this written brief. Our present limited space resources make Bill 30's limitation of student access based on availability of space sensible. We hope we can work co-operatively with our coterminous boards to maximize space resources.

We do not believe that financial resources have been equitably distributed across this province in the past. We believe that financial resources should be proportionate to the number of pupils served and the services provided. Both of our boards here faced difficult financial limitations in the past and we have worked hard to resolve them with the co-operation of our staff. We would assure you, Mr. Chairman, and those predicting dire financial burdens on the public school ratepayers, that while it may not be easy, creative solutions and alternatives can be found in meeting financial responsibilities.

3:10 p.m.

Dr. Albanese: Validity: (a) In Ontario we have a publicly funded system of education embracing two sectors. One is public and nondenominational while the other is separate, denominational and Roman Catholic. Both sectors share a common purpose of academic excellence. The Catholic system includes the added dimension of a Catholic philosophy of education.

(b) We view Bill 30 as the final chapter in the continuing development of the Catholic separate school system in Ontario and we view it as fair and responsible.

(c) Bill 30 espouses the maintenance of a distinctive Catholic mission of our school system, a goal that we endorse.

(d) Bill 30 ensures that a Roman Catholic school board will have full recognition of the constitutional rights of Roman Catholic trustees elected by Roman Catholic school electors to manage and administer Roman Catholic schools. We are pleased with this recognition and emphasize its importance in maintaining the Catholic character of our school system.

(e) From 1971 to 1985 we have taken the position that completion is essential if the

government is to recognize in practice that: (1) the process of education is a continuum from kindergarden to grade 13; (2) a basic education includes secondary education.

We are pleased that Bill 30 addresses the matter of basic education in its preamble, as did former Premier Davis on June 12, 1984.

Mrs. Hendriks: In part D on students we will first address access. In our Niagara Catholic secondary schools at present we have a combined total of approximately 200 non-Catholic students. Non-Catholic students have been accepted in our schools throughout the history of Catholic secondary education in Niagara.

These students have participated actively and enthusiastically in all aspects of school life. The position taken by the Lincoln and Welland separate school boards on the future admission of non-Catholic students conforms with the policy outlined by the planning and implementation commission and with the legislative requirements of Bill 30. We are also pleased to see that Bill 30 allows for reciprocal arrangements between public and separate boards as to the payment of tuition fees. This kind of arrangement is similar to existing arrangements between neighbouring boards for nonresident students. Such arrangements are already made when it is in the best interests of the student to receive education in a neighbouring jurisdiction.

Religious education programs: the distinction between students of choice and those required to attend because of certain circumstances is reasonable and acceptable. We agree with subsections 136o(6), (7) and (8) dealing with exemption from religious studies for a non-Catholic student in a Catholic secondary school.

Dr. Albanese: In part E on teachers we will begin with hiring. Both boards will subscribe to the criteria of the planning and implementation commission and the legislation in the hiring of all teachers and employees displaced by the shift in enrolment, irrespective of religion. We recognize in social justice an obligation to alleviate unemployment caused directly by completion.

Voluntary transfers: even though redundancy was not an issue with our coterminous boards for this current school year, both separate school boards have advertised vacancies in the public secondary schools and have hired teachers, four in all, not all of whom are Roman Catholic. Volunteers receive the same tenure, salary and seniority guarantees.

Right of recall: we think that teachers who transfer to or are hired following designation by the separate school board should be guaranteed a

right of recall by the public board based on their seniority accumulated with the public and separate boards if and when vacancies in the public secondary schools occur.

Mrs. Hendriks: Part F, co-operative planning: we feel fortunate that in the Niagara Peninsula there exists, cultivated over many years, a long-standing history of harmony, co-operation and goodwill in the education community. This has resulted in many co-operative and successful ventures that have been a benefit to the ratepayers and students of both the public and the separate school systems.

The transition in this first year of funding, which appears to be both smooth and efficient, should be a good indicator of how completion of our system will be implemented during the next few years in Niagara. We are also of the opinion that with continued co-operation and planning, the existing secondary school accommodation in Niagara will adequately serve the needs of both public and separate secondary school students with little additional expenditure. A number of approaches and possible solutions to accommodation needs have been discussed, though no formal agreements have yet been developed.

Dr. Albanese: Part G, planning and implementation commission: the planning and implementation commission has been very helpful in the preparation of our respective boards' plans. We believe that PIC should retain a key role in establishing policy guidelines and supervision for school boards. We support the idea that PIC be granted the powers of arbitration in major matters relating to completion, such as student and teacher rights, personnel, property and program.

Mrs. Hendriks: We have chosen to read the following two sections.

Part H, governance: the Lincoln and Welland separate school boards are, as we believe all other separate school boards in the province are, unalterably opposed to the recently floated concept of a unified board, for reasons that are undoubtedly well known to each member of this committee. We recognize that this concept has no place in Bill 30, and with this we are in full agreement. However, the concept has been referred to by various public school trustees and public school teacher organizations, and for this reason we comment here.

Those proposing the concept of a unified board perceive the funding of two grades in a separate school system as leading inevitably to segregation, divisiveness, discrimination, competition and fragmentation, all quite negative percep-

tions. We have no such perception of the effect or result of this legislation. Rather, we visualize two fully funded and equal sectors of the public education system of Ontario as complementary, as was intended by the founding fathers of this nation.

Being complementary and noncompetitive, they will serve the educational needs of all students and parents of the province equitably, fairly and without penalty. We view equality in both sectors of public education in Ontario as threatening neither sector but as beneficial and not detrimental to students, parents and the taxpayers.

We therefore believe that the present system of governance of education in Ontario is working, and is working very well indeed, and must not be supplanted by some other untried and undefined administrative structure that, in our minds, would likely create more problems than it would solve and be more likely to bring about those perceived situations that it was intended to resolve.

Dr. Albanese: In concluding, Mr. Chairman and members of the committee, we view the provisions of Bill 30 as fair and equitable in their approach to the completion and full funding of the separate school system, to the concerns and protection afforded teachers and other employees of the public school system, to providing for the needs of students of both systems and to procedures to resolve disputes between boards.

As mentioned earlier, we have a long history of respect and co-operation between boards in the Niagara Peninsula and we anticipate continuing harmony, goodwill and co-operation as we work together for the best interests of students in both systems. The Catholic school system will offer an alternative program based upon specific Christian values at the highest possible level of excellence as a service to our students. Every effort will be made to appreciate and complement the programs offered by the boards of education, with comparative and competitive approaches being avoided.

The goal for each of us as school trustees must be to strive for a strong, value-oriented public school program in Niagara in which two excellent systems can operate for the benefit of all our students, be they public or separate school students. We can assure our coterminous boards, and you the committee members, of our determination to remain what we are, an effective, loyal, contributing Roman Catholic public school system.

We wish the committee well in its future deliberations and we again express our thanks for this opportunity to present our views and comments on this historically momentous piece of legislation, which fulfils the hopes and aspirations of generations of Roman Catholic separate school supporters of Ontario.

Mr. Chairman: Thank you, Dr. Albanese and Mrs. Hendriks, for the synopsis you gave us, although it was a very comprehensive brief. I hope members have had a chance to glance through some of the detail you passed over as well when they come to questions.

I know as well that they were all happy to get the maps, especially Mr. Davis, who, in our trips around the province, was delighted to get maps. I notice that the refolding of it is an intellectual challenge and has therefore stopped me from trying to open mine.

I presume the black marks are the elementary-level schools and the green are—

Mrs. Hendriks: No.

Mr. Chairman: No? They are not? Can you clarify this? I am afraid to open it.

Dr. Albanese: The black dots are the public secondary schools and those little green dots are the separate schools.

Mr. Chairman: Thank you. That was a lot safer than trying to unfold it and then fold it back.

Mr. Epp: It is a good thing we are not all colour blind. We would miss that blue in there, would we not?

Mr. Chairman: I never notice either blue or red. I do not know what it is about those colours.

Mr. H. N. Sheppard: There are a lot more blue dots.

Mr. Chairman: It has been a rough year, I agree.

3:20 p.m.

Mr. Epp: I want to compliment you on the excellent brief you presented and some of the other material that we have with it.

I have a question with respect to staffing. As was indicated earlier this afternoon, there are a number of teachers of non-Catholic faith who teach in both school boards, I presume. Can you give us any indication how many there might be—non-Catholics teaching in the separate school boards?

Mrs. Hendriks: I believe we have 16 in our system.

Mr. Epp: Out of how many?

Mrs. Hendriks: Pardon me; it is 17. Are you talking about the secondary level or the total complement?

Mr. Epp: Let us try the secondary level.

Mr. Chairman: Either of you can respond as long as you get it over the microphone.

Mrs. Hendriks: There are approximately five non-Catholic teachers out of a complement of 116.

Dr. Albanese: We have two at St. Paul in Niagara Falls and five at Notre Dame in Welland. We also have eight in our elementary schools and we have two non-Roman Catholic consultants. Those are the people who come from out of town.

Mr. Epp: You have a total of 10 in the secondary level.

Dr. Albanese: A total of seven.

Mr. Epp: Out of a total of how many?

Dr. Albanese: Out of a total of 80 teachers.

Mr. Epp: You indicated you have a couple at the supervisory or consultant level.

Dr. Albanese: In the elementary panel, we have two non-Roman Catholic consultants.

Mr. Epp: Is there any particular limit you can see to what non-Catholics can be appointed to in either of those systems, such as principals, superintendents, directors or anything of that nature? That concern has been expressed. I am just wondering how you people feel about it.

Mrs. Hendriks: We look at the individuals and the contribution, the commitment they could make to the system at large, at their qualifications and the interests they would have in our system. We do not automatically exclude. It would probably be safe to say that most of our staff at that level is Catholic.

Mr. Epp: As far as you are concerned, there is no limit to which a non-Catholic could be appointed.

Mrs. Hendriks: We would not deliberately exclude somebody without looking at the individual qualifications and commitment to the system.

Mr. Epp: Their ability to fit into the system would be an important part.

Mrs. Hendriks: It would be a major part.

Mr. Epp: Yes.

Dr. Albanese: We have had application from at least one of our non-Catholic teachers for a position of principal. I can assure you the determination was not made on the basis of religion; it was made on the basis of leadership qualities and what we felt was necessary to fill that position. I would also like to tell you that we have probably been forerunners in this in that we took our director from the public school system at

Timmins, hauled him out of the snow, brought him here and gave him a new life, made him director of our separate school system.

Mr. Epp: He is aware of the graciousness you have extended and the warm climate and everything else; that is good to hear.

One concern that has been expressed is the position and power of the planning and implementation commission. I gather you do not have the concerns that have been expressed by other groups with respect to its almost unilateral powers.

Mrs. Hendriks: I would say we do not have any great difficulty with what is being suggested in Bill 30 in regard to having to rely on the requirements they have given to us in the past in that capacity. We feel quite confident in their ability to provide justice and fairness to both systems. A suggestion, I believe, has been made to the effect that the ministry should be involved in that decision-making.

Mr. Epp: That an elected representative should make the decision rather than an appointed one.

Mrs. Hendriks: We would have no difficulty with that either.

Dr. Albanese: In addition, if we find any difficulty at all, it is with a situation where a body provides the guidelines and makes the rules and then might act as an arbitrator in the same arena.

Mr. Chairman: Yes, and then interprets them.

Dr. Albanese: We think it might be practical and feasible if the duty to make these decisions was foisted upon the Ministry of Education.

Mr. Chairman: Yesterday we heard from people on the Ontario Labour Relations Board and the Education Relations Commission suggesting that perhaps the ERC could become the body which appoints the arbitrators and takes over that capacity. What would your response be to that suggestion?

Mrs. Hendriks: I do not think I would have any great difficulty with that. I would have to take a look at what kind of plan was proposed. I cannot imagine there should be any difficulties.

Mr. Chairman: The suggestion yesterday was that they would provide a pool of individual arbitrators who would be made available when there was a dispute about designation, etc., in an area, and that they would, therefore, separate themselves somewhat from the planning and implementation commission with respect to interpreting the guidelines it had already laid

down, rather than the commission reinterpreting its own.

Mrs. Hendriks: That sounds as though it would be fair.

Dr. Albanese: I do not have any objection, provided the people selected have a full understanding of both systems and of the issues at hand.

Mr. Chairman: Right.

Mr. Epp: That is a very important point, because I know in too many cases in the past a lawyer here or a professor there has been picked, with no background knowledge about the whole situation. They take a 15- or 20-minute course, then they know everything and make an important decision. That is unfortunate. That point is very well taken.

Mr. Davis: I was going to say there are 10 candidates here; we offered to take on the job yesterday but no one seemed interested in taking up our services.

It is interesting to note you indicated you would have some concerns for the commission's being able to judge, arbitrate and so forth. That is the exactly the problem we have with the planning and implementation commission. As you went through your brief, you applauded the commission's responsibility for making what I believe are some very important decisions, such as the transfer of school buildings and staff. There is no grievance process after that. It is one of the concerns we have. It is a concern you express but in the brief you supported it.

Dr. Albanese: I think once you have been a trustee for 25 years you accept certain rules that are laid out and try to work within them. It is our feeling, naturally, that some individual or body must take the responsibility of making these determinations, unless a better format can be created that we can look at.

Mr. Davis: Would you, as a chairman of a board, be prepared to accept the decision of the commission if, in your jurisdiction, you decided you required additional space and asked for one of the public secondary schools as a mechanism to fulfil your requirements and the commission said no? Do you think you should have an appeal beyond that?

Dr. Albanese: This is an extension of the comments I made previously, with respect to the role of the trustee and requests the board might make with respect to accommodation and funding. The response we have had for years is that the ministry pays the bills and is going to call the shots. If you look at some of our separate schools

and see all the railways cars parked out in back, that is what we have had to go along with. It is not our determination.

I can assure you that, as a group of trustees or as trustee organizations, if we could do something to change it we would certainly try to do it.

3:30 p. m.

Mr. Davis: I have two quick questions. One is on access. I ask this of both of you. If you had your choice, which would you be more willing to accept: the change in the present Bill 30 which limits access on space but guarantees to any non-Catholic student who comes the right to opt out of religious education simply on notice to the principal that he does not want to take it; or a change in the legislation that would have open access with the corollary of mandatory religious education for anyone who applies, except for those students who are already exempted in the bill because they are placed in a particular school other than of their free will?

The choice is open access and mandatory religious education; or limited access and the right to opt out of religious education classes.

Mrs. Hendriks: Mandatory religious education—

Mr. Davis: As they have in Saskatchewan.

Mrs. Hendriks: —for everyone and limited access—

Mr. Davis: The right to drop out of religious education.

Mrs. Hendriks: That is a loaded question.

Mr. Bernier: You had better caucus.

Mr. Chairman: Which do you think is the greater threat to catholicity?

Mr. Davis: Which is the greater threat to your catholicity? I will put it that way.

Mrs. Hendriks: I tend to think if we had to force a student, an individual who for some particular reason had great difficulty in accepting religious instruction, that would do more harm to him or to her and to our catholicity. At present, we have non-Catholic students in our Catholic schools who are taking religious instruction, participating in the courses throughout the day as well as in the particular religion class, and there are no difficulties. However, if there were some particular difficulty that would be truly detrimental, I do not think I would want to be in a position where we were forcing the child.

Dr. Albanese: I hope I can answer this. I kind of project in the future; I am getting too old to remember the past.

I believe the function of two parallel systems is to offer parents and children a choice. I cannot visualize a situation whereby children would attend a separate school system or parents would have their children attend a separate school system with the idea of changing it from what it is and what it represents. I do not think somebody who is allergic to tomatoes wants universal access to a tomato patch. It just does not make sense, especially if there is an alternative.

We, as a separate school board, have had jurisdiction over grades 9 and 10 in two high schools. The other three grades are operated by a private school; in our instance, by the Holy Cross Fathers. Because the Holy Cross Fathers operated the majority of grades in the schools, until September 1985 there was pretty well a laissez-faire attitude with respect to some of the rules and regulations in the schools. I think you can accept that because those in the private sector had jurisdiction over the majority of the grades.

As a result of that, there has been some discussion. I know the members of this committee know there have been what they might feel have been inconsistencies with respect to religious education in one school. There are many reasons for that. I personally was not aware of the situation until it was brought to my attention. I know it has been rectified. You must appreciate the necessity of a private school at times having to make certain adjustments to survive that might be a little bit aside from its particular philosophy and determined beliefs with respect to education.

I really feel the two parallel systems need to exist just as much for those who do not have a Christian background or a need for Christianity in their lives and in their education as for the others. I do not see any problem in adjusting to the needs of parents and children. If there are parents who want their children to attend a separate school for a particular reason, determined on an individual basis, I certainly do not see any problem with allowing that child to be exempt from religious education.

I hope I am not making a speech. I will just say one more thing.

It is different from when I went to school in a public system. I did not have an alternative to going to a public school and going to a catechism class on Sunday afternoon at two o'clock when everyone else was out playing and I did not want to be there in the first place. I do not know how much Catholic philosophy I absorbed during those two hours I was trapped in there, other than I was told that if I did not attend I was bound to go to hell.

Mr. Davis: I would like someone to comment on what this statement on page 10 of your brief means. Near the bottom you state, "We believe too that Bill 30 will herald a new era in Ontario education that will benefit all of Ontario's students." Could you expand on that for me? I have seen that in five or six briefs and I would like to know what you mean by benefiting all of Ontario's students by bringing in Bill 30.

Mrs. Hendriks: I will go first.

Dr. Albanese: This is called affirmative action.

Mrs. Hendriks: Actually, I was going to comment that the last time I visited this committee room there were no women present. I am pleased to see that affirmative action really is alive.

Mr. Chairman: It is slow but sure here in the Legislature. Very slow. Right, Marion?

Mrs. Hendriks: I look at that comment and look at Bill 30 as the potential for even greater co-operation between the coterminous boards. In the Niagara Peninsula we could even look at co-operation of the four boards. We have shared experience and shared expertise, not only with our coterminous board but with the four boards. The area of Bill 82 is one example.

Changes and developments in the areas of technical education which are required to keep up with high-tech programs and careers, and which could be very costly for individual boards, could be areas boards look at together to see what they could offer so that there can be benefits for students in all systems, in all boards.

Dr. Albanese had another interpretation of that.

Dr. Albanese: No, I do not have another interpretation but I would like to assure the chairman and the members of this committee that we are not here to put forward a bill that we feel is going to be an advantage to the Catholic students in this province at the expense of the non-Catholic or nondenominational students. We are all citizens of this province and I do not hope or have any aspirations that one child in this province will be disadvantaged, but rather that they all get a crack at the opportunity to get the finest education possible.

Mr. Bernier: Sorry to be late, Mr. Chairman. Maybe this question has already been answered. Has your board made a capital purchase from the public school board at all in the form of a building or something?

Mrs. Hendriks: Do you mean because of legislation?

Mr. Bernier: No, just in the last two or three years because of movement in enrolment or declining enrolment? Have you not made any?

Dr. Albanese: No, we have not made any.

Mr. Chairman: Are there further questions?

Can you remind me about the percentage of pickup involved currently in the system? First, starting with your elementary panel, what percentage of the potential Catholic students do you think you are now getting in the separate elementary panel in each of your areas?

Mr. O'Neill: We would estimate in Lincoln we are probably taking in about 80 to 85 per cent.

Mr. Chairman: What is your retention to grade 10?

Mr. O'Neill: From that 80 to 85 per cent?

Mr. Chairman: Yes.

Mr. O'Neill: It peaked at a high in grade 9 in the mid-70s. These are last year's figures, not this year's figures.

Mr. Chairman: There is still a fair range for growth there then, one would presume, with respect to grades 11, 12 and 13 with full funding.

What is the situation in Welland?

3:40 p.m.

Mr. Ferren: We have two secondary schools, one that has been in existence for a long time, since 1947, in Welland, Notre Dame Senior. The pickup from grade 8 is about 64 or 65 per cent. The retention rate from grade 9 on is in the high 90s, from grade 9 to 10 and grade 10 to 11.

At our most recent school, St. Paul, which has been in existence for four years, we have been gradually increasing. From grade 8 to 9 there, we are now at about 45 per cent. That is a new school with about 500 students in total, grades 9 to 13. Regarding our retention rate, our experience there over the last three years has been in the 90 per cent range from grade 9 to 10 and grade 10 to 11.

Mr. Chairman: Do you see a fairly large jump in the percentage coming at the junior grades as full funding comes in, or are there other factors?

Mr. Ferren: No. I have had the opportunity to review our board plan from last November when we began to meet with the Niagara South Board of Education. Looking back on our projections at that time and what has actually happened in this first year, we are not that far out.

We indicated to Niagara South right at the beginning that we did not see a significant shift. This was going to be a gradual thing, probably over a 10-year or 15-year period. I still believe

that is going to be the pattern. I do not think there is going to be a tremendous shift in any one given year.

Naturally, when we are in a position to offer technical programs and expanded business programs, it is going to make a difference for our students; but we are not going to be in a position to offer those programs in our own facilities for a number of years.

We have indicated to our coterminous board, Niagara South, that we are prepared, beginning in the second year, to purchase those services in their facilities over a transitional period until perhaps facilities will be available to us.

Mr. O'Neill: I would like to qualify my earlier remarks. We also opened up a new secondary school in the north end of St. Catharines. That has proved to be a dynamic variable with regard to draw of pupils. Also in both cases, Lincoln and Welland, it demonstrates a problem that must be attended to. It is very difficult to take a historic look at statistics from a five-year or 10-year base without putting in them, to be fair to Catholic schools, an accelerating factor which recognizes that those schools have been growing and picking up student growth on that basis.

To be quite blunt with you, that is difficult for our coterminous boards to accept. Nevertheless, it is a point that is probably best solved locally.

Mr. Pierce: Is there anywhere in the Niagara region where you are currently sharing facilities with the other system, the public school system? Are there areas where you would expand in that kind of use under Bill 30?

Mrs. Hendriks: First, we are sharing the facility with our coterminous board in Pine Grove public school and Michael J. Brennan separate school. That co-operative project was embarked upon by both partners equally at a time when both needed a facility in that area. The school was built for that purpose. It is successful because of the mutual understanding, respect and willingness to make it work.

There is a legal document to effect the agreement and the staffs involved, the principals, teachers and the entire school community, deserve the credit for its success at this time and throughout the last several years.

We also have a shared program we have just embarked upon, the program for the developmentally handicapped. The children have been served in the town of Beamsville until now by the association for the mentally retarded. The two boards are sharing the program in that same building. We each have our teaching components

there, reflective of the ratio of students that is present in that school.

We have spoken to our co-terminous board about our need for facilities and our willingness to consider some kind of arrangement if it is necessary. On the basis of our enrolment projections, we feel we will be needing our own school. However, we are willing to consider some arrangement that may be acceptable to both our boards. We have also contemplated the idea, if we are moving into the area of technical programs and other such programs, of looking at these together, provided everyone is willing and ready to look co-operatively at those directions.

Dr. Albanese: As an outgrowth of Bill 82 we do share facilities for a school for the developmentally handicapped. In the area of sharing and co-operation we have discussed many areas, such as transportation, maintenance and continuing education, and we have developed some curriculum on a shared basis, such as physical education guidelines. We have many examples of that.

Mr. Pierce: Are there any areas within the Niagara region where you are required to pay for the use of facilities shared by each group? In other words, if you are using gymnasiums, swimming pools, etc., of the existing public system, are you required to pay for those facilities or is it just an open-door approach that you can use the facilities provided the other system is not using them? Is there any transfer of revenue from one source to the other?

Mr. Chairman: Are they primary purchase-of-service agreements?

Mr. Pierce: Even if you have to pay rent. Do you pay rent on the existing facilities now in any areas?

Dr. Albanese: We do not have any examples of places where this is occurring, but I am left with the impression that in the past it could have occurred. Yes, a fee was charged.

Mrs. Hendriks: In my experience, particularly in the joint building, we have the gym, they have the library and those are exchange services. In certain areas, to my knowledge, the gymnasiums have been used in both systems, depending on the location of the schools and which system has the gymnasium, without exchange of fee.

I neglected to mention earlier when you asked about capital facilities that are being used that we do share a film library and we do have shared transportation in certain areas, as well as curriculum guidelines. We feel we have an excellent system of co-operation that has been

beneficial to our students and our taxpayers, but not at the expense of losing our own identities as boards and as systems.

Mr. Chairman: Thank you for co-operating in coming together like this. It has been very useful for us and has given us a good picture of what is going on in the Niagara region from your perspective.

Our next presenters are from the Ontario English Catholic Teachers' Association, Nipissing region, Mrs. Soule and Mr. Kennedy. This is item 778.

We have been having a very full representation from Nipissing one way or another. It is good to have you come down here. We had many people when we were in Sudbury and now we are actually continuing here in Toronto. Please proceed.

3:50 p.m.

ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION, NIPISSING

Mrs. Soule: I am Kathy Soule, president of the Nipissing unit of OECTA. With me is Kevin Kennedy, who is past president of the provincial association. He is currently the second vice-president of the Ontario Teachers' Federation. He has served as the separate school representative on the Nipissing Board of Education and is currently the principal of Our Lady of Sorrows school in Sturgeon Falls, which is one of our outside-the-city areas in Nipissing.

Mr. Kennedy: Thank you. It is a pleasure once again to appear before the committee. I am pleased to have this opportunity to speak to you about the concerns of what is quite a small unit of our members.

In the northern area, with Sturgeon Falls and Mattawa included in it, there have been a number of educational initiatives over the years and some concern about the provision of education. We felt we had some opinions to add to the many you have already heard about our area.

Regarding teachers, we have discussed this on a number of occasions. We are in full agreement with all of the six principles and are pleased to see that such issues as student access and staff transfers will accommodate both the teachers and the concerns of the Catholic community. We were particularly pleased that you mentioned the special character and mission of our schools and that this is recognized throughout Bill 30.

The need for equity in funding is one of the things that does come through there. While we are very pleased that funding up to ceilings will allow us to offer a full range of programs, there

need to be other arrangements in the future if we are to equal anywhere in any jurisdiction in the province the level of progress, or what I would call perhaps the intensity or the completeness of it, that can be offered by boards of education. I realize there is another commission dealing with that.

We strongly support the whole concept of voluntary transfers of staff from public secondary schools to Catholic schools. In our view, that is one of the simplest ways to solve the problem of the nature of the school, the fit that is needed for the provision of education to students and to do it without creating a great deal of anxiety. Where there are more than enough teachers applying, we are recommending that the normal hiring procedures should be followed.

On staffing provisions, we are saying the number of students transferring from grade 8 in separate schools to Catholic secondary schools in our area has been in the range of 60 to 70 per cent. We have not noticed a great change in that this year, nor did we expect there would be. It follows that the number of designated teachers would not be large. While it has not been worked out, the number of students transferring has been small.

It is thought there might be coverage for two teachers. Advertising for two teachers was done in the last two weeks within the separate schools and the public schools in the area. There was one applicant from the public school board who was accepted and a further hiring was done from outside, so it is clear there is no traumatic problem of the kind that has been described up to now regarding either the transfer of staff or of students. Again, we strongly urge that any transfer be voluntary, and in particular that the details be worked out between the boards locally, in our area and elsewhere.

Our collective agreement has one seniority list for teachers from kindergarten to grade 13. While we know that size in some areas such as Metro may make this inappropriate, in our case it has meant that teachers could move very easily within the separate school board from elementary to secondary and vice versa. That has many advantages for students and staff. We would recommend that continues.

The question of creed and lifestyle has been one that has been raised often at the committee. Again, in our area this has not been a problem. Given what has just occurred, we cannot foresee it being a problem. I am quite sure any problems regarding that could be ironed out through voluntary moves and the normal hiring process.

As far as protection of salary and benefits is concerned, there are significant differences in some of the benefits and to a lesser degree in salary. We feel the teachers who are transferring should be protected as far as seniority, sick leave, gratuity and salary are concerned. We do believe salary should be red-circled for whatever period of time it will take for the separate board collective agreement to catch up to the salary of that teacher.

We have some concerns about the appeal process. We know that has been mentioned many times to you. Rather than write out at great length what it should be changed to, something closer to either the Labour Relations Act provisions or those in Bill 100 would cover the situation. Everyone involved in dealing with it is used to it in education. We are sure that would be a worthwhile change.

On governance, we are pleased with the announcement made some time ago that the government is going to proceed with legislation regarding governance of minority-language schools. We have a feeling that in our area that might ease some of the problems associated with Bill 30. Perhaps among those would be the transfer of schools between boards or the elections that teachers or parents would want to make.

We are not in favour of the splitting of taxes, and that is unanimous as far as we are concerned. We feel that a complete system from kindergarten to grade 13 is the one that is envisioned. We feel that to allow an election for taxes would not allow the completion of the system the way that historically we have viewed it. It would also recreate all of the problems regarding trustee representation and that kind of thing.

As far as the unified school board is concerned, which has been widely discussed in our area, we are unanimously opposed to the whole concept and have some difficulty understanding why a fourth level of governance for schools is being put forth. We can hardly see a concept that did not work very well in industry without very large organizations divesting part of their operations so that they ran autonomously as being one to introduce into education.

As far as facilities are concerned, North Bay's Scollard Hall has absorbed St. Joseph's College, the other Catholic high school that we had, as of September this year, and some changes have been made to that school to accommodate the students. We are not pursuing, as was mentioned in briefs earlier this year, the whole question of asking for a public school. We feel it will take

time and study to find out the needs of both the public board and the separate school board and to arrive at what would be a fair solution regarding that.

However, the problem is there. Scollard Hall, while renovated, is an older building. Many portables had to be added this year to enable it to offer a complete secondary school program. Clearly, over the next couple of years it will reach a point where something will have to be done, whether it is the provision of other quarters, or rental or some other solution. It is a question that will not go away.

As I am a principal in a single-school community at Sturgeon Falls, and knowing the history of the area, I realize the question of single-school communities is extremely sensitive. Nevertheless, there are Catholic parents in the English community who have been busing their children to North Bay for an education and who at some point clearly would want to have available a Catholic secondary education.

Our view is that it would be quite viable as an alternative to some kind of majority rule or control of the school to have that one school available to provide education for both sectors, and to have those areas that need to be used in common. Again, we feel this is something that can be worked out locally between the two communities and the two school boards.

Attached to that is our very real concern that if it cannot be worked out, then the parents and the board should have the option of being able to complete the offering of a Catholic secondary education in such areas.

I was a principal in Mattawa when the discussions were going on some years ago regarding whether or not the school could be viably divided. I was a trustee when the hearings were going on with the languages commission on whether or not the area should be dealt with, and I saw the solution take place. It operated to the satisfaction of the people concerned; not everyone, but certainly the majority.

On student access, we fully support the existing provisions of the bill and feel that for those students who cannot receive education in the school of their choice, a case can always be made for having another education available to them. In those exceptional circumstances, clearly linked to that is the attendance at religious education programs. In those cases a clear case can be made for exemption, but for all of our Catholic students and for all those who attend voluntarily, the school being able to fulfil its mission simply means that they will partake fully

in the life of the school, and that would include attendance at religious programs.

4 p.m.

Again, we have mentioned that we are not happy with the whole concept of the splitting of taxes, we mention that at the bottom of page 7. I point out that the tax laws of Ontario have been described as perhaps the most complicated in any jurisdiction. That is a matter of history, and it is now time to simplify them rather than get back into making them more complex for people in the provision of education.

We did not put a section in here on affirmative action, but we note that in the past two or three weeks there has been mention regarding our area. The figures that were given regarding the transfer of teachers and the effect it would have on women teachers did occasion us some surprise. I would just mention there were two hirings to fit need, one from outside our area because there were not applicants from the public board. One person hired was male, the other female. We would not anticipate any radical change to that in future years.

Certainly, if there were the radical changes envisioned, they would affect both boards equally. If there was a large transfer of teachers in our area or any other, the people who might be made redundant in a northern separate school board that year or the following year—we have had redundancies because the area is not a growth area—would be the teachers at the bottom end of the scale, predominantly the younger female teachers. Thus, the effect would be the same on both boards. If you are going to consider anything in that whole area, we would like to make the point that the effect does tend to be equal; but we do not see the effect, given the existing situation in our board.

That covers the points we wish to make. We wanted to confine ourselves to things that were appropriate to the area. We thank you for the opportunity to address you on them and to appear before the committee.

Mr. Chairman: Thank you for your comments. I am not exactly clear on your last point. Perhaps you could clear that up. If there is declining enrolment and there is a disproportionate number of women at the lower seniority levels, and the only growth is taking place in the Catholic system because of the extension of funding, how is it that the public system will not be disproportionately affected in terms of losing role models, who are the ones who become eligible for designation to your system?

Mr. Kennedy: The first point I would make is we have a common seniority list; so the young women teachers, limiting it to affirmative action, could be in either the secondary panel or the elementary.

Mr. Chairman: From your side.

Mr. Kennedy: That is right. For the last five or six years, except for the past year, we have had redundancy in the separate school board in North Bay. It could be that there would be transfers of students and there would be teachers designated because of that. There appear to be two positions this year. There could be more next year and the following year. That could occur, while at the same time, we could have redundancy overall within the teachers employed by the board. The likely ones to go—in fact almost all of them that have been made redundant in the past number of years—have been women teachers low on the seniority scale.

Mr. Chairman: So the affirmative action question is a larger question than just straight funding; it has to do with the whole question of declining enrolment?

Mr. Kennedy: That is right.

Mr. Epp: Mr. Kennedy, I just want to get a clarification as to what you envision is the solution to the assessment tax problem. How do you envision Bill 30 applying the solution?

Mr. Kennedy: When we discussed that, no one had disagreed with the whole concept that they would be assessed for taxes for the separate school board from kindergarten to grade 13. If any programs were required, or if parents wanted the child taught in another school in the other board, the services would be purchased, as I believe is envisioned in the bill. We see that as being a very sensible and very direct solution to the problem.

Mr. Epp: Do you envision not being paid at the level that the costs accrue to a particular board? For instance, if it is a technical course and it is costing a particular board \$5,000 per student, would the other boards be expected to pay that amount?

Mr. Kennedy: That would return us to the question of equity, which I raised at the beginning when I mentioned commercial and industrial taxation. It would be the case in Nipissing at the moment because the overall per-student revenues of the board of education are roughly, I understand, around \$500 per student more than the separate school board will get as ceilings for secondary students, and it could be more than that.

Therefore, the problems will be more costly and the separate school board will not have funds at that level to purchase those programs under the proposed legislation. I believe that is something for which the committee and the commission must come up with solutions.

One of the things the commission was going to do this past year was to make recommendations that, where there were funding differentials such as that because of the change, it would authorize or in some way ask the minister to pay for those differences. In the interim, until the whole equity question of the funding of education is addressed, I would see appropriate funding being provided that way for the cost differences.

Mr. Epp: Have you made a presentation to the Macdonald commission on this?

Mr. Kennedy: The Ontario English Catholic Teachers' Association has. We have not from our unit.

Mr. Epp: Do you know what its particular recommendation was in very general terms?

Mr. Kennedy: I believe that was the recommendation, but I am not absolutely sure.

Mr. Epp: I have another question about single-school communities. What do you see as the viable size of a school? I think you have mentioned Mattawa, that you had a problem there in the past and suggested that as a type of solution. What was the problem and what was the solution?

Mr. Kennedy: You could say I was there as an observer. The problem was the provision of French-language education within the existing secondary school. You have probably heard the whole story before, but the parents wanted that provided. At one point, they were busing more than 100 students over 40 miles to North Bay every day, which is a considerable distance. After taking it to the languages commission, there was an award made in their favour and the school was divided, with under 200 students in one section. I am not saying that is necessarily great.

On the other hand, I believe ultimately what is viable is what people find they can work with. I was suggesting, and what we suggest in our brief is that there should not be a problem for a school of 500 or 600 operating and serving a dual function within the one building and those areas that need to be used in common should be used. I believe creative solutions of that kind will have to be looked at; otherwise, we will end up with a situation in which I fear either the school will be given to one board or the other, the majority

solution from some time back, or that at some point someone is going to say: "What are we going to do about the Catholic parents who want it? Are we going to tell them to continue busing their children to some other jurisdiction a very long distance away?" How constitutional will that be in the long run?

Therefore, I believe the first option should be a local solution and the two boards should work it out. I believe that can happen. If that is not done, the option should be available to the separate school board to proceed as it wishes and as parents wish. That would be the really major point, to proceed on the provision of kindergarten to grade 13 education or K to grade 12.

Mr. Epp: How do you distinguish between an area with two school boards with a common area and a unified school board?

Mr. Kennedy: The unified school board is a governance structure. Two jurisdictions sharing a building is a school operation with separate administrations, with programs to suit the needs of both sides and some programs in common to suit both. I do not see any real connection between a school and a fourth structure of governance that was never clearly defined or was almost like a regional government of school boards. I see it as being quite different from sharing a school.

Mr. Epp: What would you consider the common areas as opposed to those that need to be retained as separate?

Mr. Kennedy: I would say those that need to be shared for reasons of numbers and economy. That would apply particularly to all the technical and commercial areas. What would there be in both programs? There might be things such as the provision of two years' special education or a full-year special education of similar types of programs and any specialized subject for which there were not enough students.

4:10 p.m.

Mr. Epp: Would that include English or history?

Mr. Kennedy: I think those would be handled separately, but it is the kind of thing that, based upon numbers, the boards could sit down and work out. I do not see that it would be very difficult.

Mr. Epp: Guidance counselling.

Mr. Kennedy: No. I would exclude guidance counselling because of its nature. You are hearing a lot of personal opinions. You are not hearing a final decision.

Mr. Epp: That is the reason you are here. We have a lot of groups and they have not attacked all these problems.

Mr. Chairman: He is here for his personal opinions, but wait until he goes back and explains this to his local.

Mrs. Soule: That is why I am here.

Mr. Chairman: We will provide you with the Hansard.

Before I pass on to Mr. Davis, did I understand you to say or to use 500 as a definition of viability, or were you saying that for a school at the moment in a town where there is a substantial Catholic population and only one school of fewer than 500, there still should be the capacity to come up with a local solution to share space, and viability would be determined on local needs more than on a definite number?

Mr. Kennedy: I said it was quite viable in this situation. In another area it could be smaller than that. That would depend on what the people involved could work out. I think that is the answer in those cases.

Mr. Chairman: The smaller the group, the larger the sharing.

Mr. Kennedy: I have always been interested in what happens as schools get smaller. I taught in the Sudbury area near Lo-Ellen Park where the parents now are demanding it be kept open with somewhat more than 300 students. Students from my school went there when there were more than 1,700 students in the school. Back then it was considered absolutely essential that it be very large. Now, for different reasons, it is considered essential to keep it, even though it is small.

Mr. Chairman: I gather you are also enunciating the principle that the smaller the unit and total number of students, the more sharing that would be required.

Mr. Kennedy: That is right.

Mr. Davis: As to the philosophical assumption that smallness is great or good, if a parent or teacher were allowed to make a decision on class size and school size, they would go down dramatically. At some point in the life of society, other people also have input into the decision-making as to what a regular class size is. You and I know that in certain aspects of Bill 82 and in some aspects of dealing with technical education, because of safety rationale and all kinds of things, the ministry has said, "That is the size of the class."

A teacher would say in some instances, "It would be better if there were three students fewer." That kind of argument is circular. I

would like to come to the single-school community. You said something about majority rule. I would like to know what you mean by that.

Mr. Kennedy: I referred to previous briefs. I did not put that forward as a point and I would like to be very clear about it. I said that had been raised earlier. If the numbers warranted—Sturgeon Falls or Mattawa, for example, has a large majority of Catholic parents and students—the assumption on the part of the school board at one time was that it followed the statement of the previous minister and that in all likelihood it could take over the large school if that was the only solution.

We are saying there are other solutions, preferably a joint solution worked out by both boards on the use of the existing school to serve both communities and school boards. That was the position we were putting forward. The final position we were putting forward was that, failing a solution, the Catholic students of the area should have the option to complete education through the secondary grades if they so desired.

Mr. Davis: That would mean a new building or the acquisition of that building.

Mr. Kennedy: That is right.

Mr. Davis: The problem with that solution is that if there is nothing in legislation that mandatorily recommends sharing, it is easy for either sector to sit back and not share and therefore to force a decision, which is the completion of the separate school in that building, or for the public educators to say: "Thank you very much. We will keep our building." It is fraught with all kinds of problems.

I want to come back to the sharing process. In the sharing process, would you have separate staff rooms, libraries and cafeterias? If you use 500 as a round figure, you could probably have your own gym classes. Would you see those as being separate or common units?

Mr. Kennedy: I personally would see them as being common units. I have no problem with that and I have worked in such a situation in the past.

Mr. Davis: That is good. I appreciate that comment because there is a theory that they should all be separate. I thought that if you were going to try to work two systems in one building, the more common areas you can develop, the easier that would become.

You said you were not prepared to allow the tax dollars to be split at the end of grade 8. Would you advocate a position in which a Roman

Catholic child in the secondary panel who decides that he would like to go over to the public school system should have the mandatory right to move with a letter simply saying, "I want to move"? I understand the principal would ask, "Are you having a problem with the teacher?" Other than that, he wants to move because his friends are over there, or it has a better football team or he thinks it has a better science program. Should he automatically have that right to move?

Mr. Kennedy: My answer would be yes, and it would be based on what is already proposed in the legislation, which appears to contemplate a situation where a program is not available but it is available somewhere else; therefore, that is where the child will go.

Mr. Davis: No, that is not what I am saying. I am not saying program. I am saying the child wants to move just because he wants to go to the public school rather than the separate school.

Mr. Kennedy: No, I would not.

Mr. Davis: That is an indication. With the transfer of assessment bases to both systems, the understanding is that a student can move into the other jurisdiction at his request and the local board has to pay the cost of that person's education because he wants to move. What you are saying is that there has to be just reason to go, and that just reason is that there has to be a program a board is not offering, rather than the personal desire of the child because he wants to go across to the local public high school.

Mr. Offer: Let us talk about the the hiring of non-Catholic teachers. You allude to the voluntary transfer. To your knowledge, are there any non-Catholic members in your association?

Mr. Kennedy: Oh, yes, we have a considerable number of non-Catholic members. In fact, you might be interested to know that in the single Catholic high school in North Bay—we have now joined Scollard Hall and St. Joseph's High School—currently two of the department heads are non-Catholic and were before all this occurred. That is quite common.

That whole area is one I do not see any problem with because we have hired non-Catholic teachers when there was a need. We have always stated, all things being equal, we would hire a Catholic teacher, but we have no problem hiring a non-Catholic teacher. We would not place the students in jeopardy if we did not have someone who could handle the program on the grounds that we would not hire a non-Catholic to do it.

Similarly, once they are employed in the school—and you could talk about this to any principal in any one of our Catholic high schools, there is no way he would not put the best teacher in charge. It is common sense in terms of the provision of education for the students.

My answer to that is that we have them. We have these people that I mentioned. There is apparently a third person, and I could not find the name, but I knew the other two just in case the question was asked. It could be a problem in the future; it has not been in the past.

Mr. Offer: I would like to carry on with that. I have asked this a number of times, but I am wondering, with respect to that non-Catholic teacher who is part of your association, is it possible for you to give us any idea—and I am not asking this in a critical fashion—why he or she chose to teach in the separate school and chose to become part of your association?

Mrs. Soule: In the two particular situations we are speaking about, the two who are in positions of responsibility had the expertise. One is a music co-ordinator and the other teaches French. Both of these people take a great part in all of the school activities. They enjoy the programs they are teaching. They enjoy working with the students they are working with.

4:20 p.m.

At the time they were hired, they were both at Scollard Hall. One was at St. Joseph's for a while. They made that choice. They particularly wanted to work in our system and to become part of our group, and they have always taken part in all the activities in the school system.

Mr. Offer: So they play an active role within the milieu of the whole school?

Mrs. Soule: That is correct.

Mr. Offer: When you suggest the voluntary transfer, as we have heard many other times, is it your perception that those teachers who would volunteer from the public sector, be they Catholic or non-Catholic, would be willing to play that type of role in the milieu of the school, such as that teacher who took part before this bill? I am not talking about professionalism or anything of this nature.

Mrs. Soule: In the instance of the individual who was hired recently by our board from the board of education, that is the understanding. It was voluntary. The job was posted in our system, in the board of education system and in the Globe and Mail. This individual applied with that understanding and will be taking part fully in the life of the school.

Mr. Offer: Let us say you require certain positions and not enough teachers voluntarily come across, so now we are looking at the designated teacher within the public system and within the ambit of the act. I have in the past asked what happens if that teacher is a proponent of abortion. But I wonder whether it is something less.

It is possible that this designated teacher who did not volunteer to cross but now finds himself, for whatever reason, within the milieu of the separate school—I am not commenting on the professionalism of the teacher, but the mere fact that someone is teaching in a separate school in a very capable manner but is in a setting that is not of his choice—could be detrimental to the catholicity and the whole ethos of the school?

Mrs. Soule: Personally, yes, I believe it could possibly cause problems. However, in Nipissing we do not expect that problem. I realize the scenario you are developing and I can see it possibly happening at some time in some area, but in our own area it is not a problem. We had two positions posted. Only one was applied for by a board of education teacher.

Mr. Offer: Thank you for your responses. I do not know whether we have gone deeply enough into whether the teacher in the separate school system is teaching in basically the same way in the geography and the history classes—and I am not talking about capabilities or professionalism—as is done in the public system.

Mr. Kennedy: May I add to that?

Mr. Offer: Could you shed some light on that?

Mr. Kennedy: To deal directly with the earlier part of your question, if the normal hiring process were followed, failing getting volunteers, you would still have interviews with the board and board officials would ask questions about how the teacher would cope with certain things. If the answers you are postulating were given by that teacher, that not only did he or she disagree with some of the basic tenets or philosophy of the Catholic Church but would find it difficult to do other than present his or her own viewpoint, at that point you would have a real problem for the board and you are well aware of that.

Again, it is our view that it can be dealt with in discussions between the boards and in efforts being made to find teachers who can accommodate themselves to the needs of the other board.

Mr. Bernier: Mr. Chairman, you would agree with me—I do not want to be parochial—the

people from northern Ontario do make good presentations.

Mr. Chairman: It is very close to your own riding.

Mr. Bernier: I have one quick question. Do you teach world religion courses or do you have a program for students to look at other denominations and other churches?

Mrs. Soule: I have been teaching a class a little more recently than Mr. Kennedy.

Actually, more than once during the school life of a child in our grades 5 and 6 programs—as a matter of fact, I was a grade 6 teacher for a number of years—we study everything from Buddhism, Islam, the entire gamut, right through. I am a product of both systems of secondary education. I attended St. Joseph's College and one of the public high schools in North Bay and we had a complete world religion education program right through the four years I was there.

Mr. Chairman: Are there any more questions? I have a couple on the tip of my tongue but I will not ask them. I am going to show restraint. The chairman at this point will act as a chairman instead and thank you both very much for your presentation and the conversation you got into with committee members. We appreciate it.

WELLINGTON COUNTY WOMEN TEACHERS' ASSOCIATION

Mr. Chairman: Our final deputation for the afternoon is the Wellington County Women Teachers' Association, exhibit 779. We are still fresh, eager to hear more, gluttons for punishment, masochists, however you want to put it. Welcome. I have only one name so I will not try to introduce all of you. I will let you introduce yourselves instead, then take us through the brief and we will have questions following.

Miss Perizzolo: Adriana Perizzolo, first vice-president, Wellington County Women Teachers' Association.

Ms. Van Delft: Margaret Van Delft, political action, also on the same committee.

Mrs. Wright: I am Ruth Wright, president of this association.

Mrs. McGee: Marian McGee, public relations officer for the organization.

Ms. Van Delft: It looks as if I was appointed spokesman.

Mr. Chairman: Aha, a democratic decision?

Ms. Van Delft: It happened when I was not there, to tell you the truth.

Mr. Chairman: That is always the way.

Ms. Van Delft: I am going to read our brief. I am not used to doing this. This is a first for me and I feel a little better about reading it.

The Wellington County Women Teachers' Association is one of 80 associations of the Federation of Women Teachers' Associations of Ontario. We represent 515 female elementary teachers of Wellington county serving 13,414 students.

4:30 p.m.

Wellington county encompasses the city of Guelph and several smaller urban and rural areas. It extends from Morriston in the south to Mount Forest in the north, Erin in the east to Palmerston in the west.

We fully support the position taken by the Federation of Women Teachers' Associations of Ontario in its submission to this committee in July 1985. We ask that you incorporate the recommendations of this brief into the bill, providing it is constitutionally legal. In our brief, we are concentrating on only four areas of concern as they affect elementary schools and Wellington county in particular. Thank you for this opportunity to present our brief.

Since the early 1970s, our federation has encouraged the Ministry of Education to equalize the educational opportunities between elementary and secondary students. However, in this 15-year period, the grant ceilings given to the board of education have steadily increased the gap from \$500 in 1970 to \$879 in 1985. It costs at least as much to educate an elementary student as a secondary student and it is therefore difficult to understand why the ministry has been prepared to invest even more money into secondary education.

In order to educate the whole child, our elementary school system is pressured to meet the demands of the modern child. Computers, well-stocked libraries, industrial art shops, family studies labs, science labs and music rooms are just a few areas needing specialized and up-to-date equipment. Qualified personnel are needed here as well as in the areas covered by Bill 82, special education.

Whenever the ministry produces new curriculum guidelines for the elementary system, it has always required more funds to be spent locally for proper implementation. The increasing demands on our programs make it imperative that the gap be closed.

Recently the ministry announced that approximately \$34 million will be needed to fund the additional grade 11 grants for separate schools in

1985-86. If money can be found to duplicate existing programs, surely an equal amount can be found to decrease the gap currently existing between the grant ceilings of \$3,275 for secondary schools and \$2,396 for elementary schools in 1985. Therefore, we recommend that the provincial government increase the grants for elementary schools at least to the level of secondary schools.

The fate of our smaller schools: Wellington County is a long, irregularly-shaped county and covers an extensive area. For example, from Mount Forest in the north to Morriston in the south it is approximately 90 kilometres, or 55 miles. Our county encompasses one large urban centre, Guelph, with a population of 77,000 and several small rural communities.

Sixty-three per cent of our county population is rural and it is traditionally regarded as a small-c conservative area. The Wellington County Board of Education is basically a board with many small rural community schools that are barely surviving the decline in enrolment which has taken place in the last 15 years. Transfer to the separate school system of even a few elementary pupils may make small community schools such as Kenilworth, Marden, Ospringe and Torrance face closure.

The women teachers in Wellington county, along with many parents and other taxpayers, believe elementary schools are important to our communities and it is imperative that even small schools be kept alive. If community schools disappear, our children will have to be transported even greater distances. For these children, it may mean at least one hour on the school bus both morning and afternoon. No parent would approve of this as it would be detrimental to the child's education, health and safety.

Transportation costs will soar as a result of extra busing. The costs of facilities, staffing and administration in the county will not fall in direct proportion to the number of students lost. Consequently, the cost of education to a local board of education ratepayer will increase. Parents and taxpayers in general will express extreme displeasure about financing education costs when their local school has been lost. Therefore, we recommend that additional grants be provided for small community schools which otherwise might be closed because of transfers to the separate school system.

Protection for elementary teachers: Although neither the ministry nor our board has yet done a study on the impact of the extension of separate secondary school funding on the public elemen-

tary system, we believe declining enrolment may take place in public elementary schools as well as in public secondary schools as a result of the Education Amendment Act, 1985.

When such a study is completed, we feel the results may show a definite decline in public elementary enrolment as well as in public secondary, causing elementary teachers to be redundant too. The legislation should therefore include protection for public elementary teachers as well as for public secondary teachers.

The legislation, however, appears to refer only to secondary schools when it discusses in clause 136s(4)(d), "the effect on the employment of supervisory officers, teachers and other persons employed in secondary schools."

We elementary public school teachers need to know that the protection that will exist for the secondary public school teachers will apply equally to us. Therefore, we recommend that the act be amended as necessary to offer the same degree of protection to elementary public school teachers as to the secondary public school teachers.

The social consequences on our community: As has been stated before, Wellington county is basically a rural area with many small communities. Children of all ethnic and religious backgrounds attend our local high schools. These young people were not separated on the basis of religion throughout their school career.

We feel that an extension of funding to the Catholic high schools at this time will create divisions in our society which we as teachers have worked so hard to eliminate. Since the 1960s, a positive attitudinal change has gradually taken place in Ontario society's mosaic profile.

It has been a mandate of the public school system to teach tolerance and understanding of all our students' lifestyles and beliefs. We believe this bill will destroy what we have accomplished and will once again segment our communities. Is this not a time when our government should be working towards uniting our society?

In rural parts of Wellington county, we have been able to work co-operatively both at the elementary and secondary levels with the various religious groups. The provision of extra funding to the Catholic system might result in the withdrawal of sufficient numbers of students so that viable programming for the remainder would be difficult.

Therefore, we recommend that Bill 30 be withdrawn before third reading.

That is the end of our presentation. Would you like me to read the four recommendations again?

Mr. Chairman: If you would like to.

Ms. Van Delft: I would like to.

Mr. Chairman: Certainly. We have time. That is no problem.

Ms. Van Delft: You have time? All right.

1. That the provincial government increase the grants for elementary schools at least to the level of secondary schools;

2. That additional grants be provided for small community schools which otherwise might be closed because of transfers to the separate school system;

3. That the Education Amendment Act, 1985, be amended as necessary to offer the same degree of protection to elementary public school teachers as to secondary public school teachers;

4. That Bill 30 be withdrawn before third reading.

4:40 p.m.

Mr. Chairman: Thank you, Ms. Van Delft and your colleagues. Some of us have noticed that Wellington county not only has a small-c conservative but also a very large-C Conservative element, provincially and federally as well.

Some of us have lived there in the past. In reading your list of potential schools, I was glad to see that Salem public school, which I attended, is not on your hit list at this point, and it looked healthy the last time I drove by it.

I have questions from Mr. Sheppard to start off.

Mr. Sheppard: To the group, I hope there are men teachers out there in Wellington county too. How many men teachers do you have? Do you have any idea?

Ms. Van Delft: There are around 270 to 280.

Mr. Sheppard: They are outnumbered.

Ms. Van Delft: We keep our eyes on them, but they are out there.

Mr. Chairman: This is one area where they believe that separate but equal is a useful phenomenon.

Ms. Van Delft: Exactly.

Mr. Sheppard: You said you would like to have grants for elementary students increased to the same level as for secondary students. For what reason? I ask that because secondary schools cost much more per square foot to build and to keep up than do elementary schools.

Ms. Van Delft: You are talking about the technical aspect.

Mr. Sheppard: Yes. Could you elaborate on your reason?

Mr. Chairman: They would love to.

Ms. Van Delft: We are ready for this one. First, we are looking at class size. The extra grant money is needed to get that class size down. Every study that is coming out on education says the classroom sizes in our elementary schools are too large. The only way that we know to get them down means money. Our grants have steadily decreased for many years, and the gap is widening. The problem is we cannot get our class size down without the extra money.

Second, our secondary school teachers are guaranteed one period a day for their own, as planning time. In the elementary school, even though some of our contracts do say that we are guaranteed 40 minutes for lunch, for instance, it is still up to the principal to designate that time. Very few elementary teachers get even that 40-minute lunch break; in addition, they have other duties. During the daytime, unless they are in the senior school, very few of our teachers get planning time. At present, it is one quarter of a day per month.

Mrs. Wright: One half day.

Ms. Van Delft: One half day. I have the grades 7 and 8 level, so I know ours is a little bigger.

Mr. Chairman: If you are going to add other things, you might talk about the increase in special education that has taken place at that level or the need for guidance because of the changes in the Ontario Schools, Intermediate and Senior Divisions guidelines. I would be happy to refer you to any number of briefs we have received.

Mr. Sheppard: What is your average number of students per classroom?

Ms. Van Delft: We have a pupil-teacher ratio that we work with, which is different.

Mr. Chairman: And your PTR is 27 to one?

Mrs. Wright: It is 20.7.

Mr. Sheppard: That is not bad.

Ms. Van Delft: That is very misleading, because it includes our librarian—do you want to hear this?

Mr. Sheppard: Yes, and the principals and the vice-principals.

Ms. Van Delft: The librarian, the principal, the resource person. You name it and it is included. Meanwhile, we are looking at 36 students in certain classes. The 20.7 sounds wonderful. Other than special education classes,

I do not think there is a classroom in our county that has that number.

Mr. Sheppard: I will go on to my last question, which concerns redundancy. The enrolment in our elementary schools is going down, so we have some redundancy in county boards across the province. Why did you put this in, when you know as well as all of us that our elementary and public school enrolment is going down each year?

Ms. Van Delft: We realize there is that trend. It is the extra on top of what is already happening. We pointed that out too. Even a few students changing over to the other system may change that, so even though I realize our small community schools are already declining and they are all on the verge of looking at closure, the few extra ones that are changing are the ones we are concerned about.

Mr. Sheppard: We will just have to educate our teachers to tell their students to pursue being computer operators instead of schoolteachers.

Mr. Pierce: Or mothers.

Mr. Chairman: Only if they want low-paying work. Ms. Bryden.

Ms. Bryden: I appreciate your coming in to give us the views of the women teachers of Wellington county. We cannot understand what is going on without people like you coming in.

I was impressed by your argument about the inequality of grants between the elementary and the secondary level. This has been a concern of mine for quite a long time, as it has been for a lot of teachers' and parents' groups. You have shown us how that inequality affects the size of classes and whether the teachers have preparation time. It probably also affects the kind of equipment you have in the schools. That inequity should be overcome but that requires something that Bill 30 is not looking at, that is, additional provincial funding or a reversal of the provincial funding trend, which has been downwards.

Bill 30 is also about equality of grants per student, so the separate schools which have had lower per student grants in the past should have the same per student grants. Can you not also support that principle in this bill? I know it is going to cost money and it should not be money that should come away from the public system nor should it detract from your drive to get equal grants for elementary pupils. Can we not also recognize that the separate schools that are part of the public education system should have the same grants per student?

Ms. Van Delft: You have a good point there. Our concern is the taxpayer. We are already getting many complaints about the education cost to the taxpayer, and that will be a further burden. Ruth, would you like to say something on that?

Mrs. Wright: The problem is in taking that large sum, wherever they found this \$34 million—instead of being used to duplicate programs in the secondary system, maybe part of that could be put towards grants and making them all equal.

Ms. Bryden: I do not think any of us want to see programs duplicated. That is why we are also looking at imaginative possibilities for sharing programs. In Wellington county you have particular problems in that there are a great many rural areas with small schools, both separate and public.

Can you see more opportunities for those schools, in effect, working together as one school, sharing facilities but retaining within the classrooms their different approaches? In other words, the separate school and the public or nonseparate school would be together, possibly in the same building, sharing a lot of facilities, but they would still retain their separateness.

Ms. Van Delft: It is only in the city of Guelph that both Catholic and separate schools are located at present. In the north of our county, there is no Catholic high school at all. We would not be sharing anything. They would have to build a new school or take over a public school or high school.

Ms. Bryden: Do you think, without building a new school, they could provide a Catholic section of the present school and there would not be a demand for construction of a new school?

Ms. Van Delft: You are talking secondary, are you not?

Ms. Bryden: Yes.

Ms. Van Delft: I can see that. We do share certain things already, do we not?

Mrs. Wright: Yes.

Ms. Van Delft: A library, our film library, our transportation. We have been working together in certain areas, but not specific schools.

Mrs. Wright: There has been a rumour that the Catholic system is looking at building a school in the north. If they withdraw from a couple of the high schools in the north, those schools will have to close.

4:50 p.m.

Ms. Bryden: The money for building new schools has to come from the government and

there may be some opportunities for avoiding the building of new schools but at the same time providing the dual system and the dual opportunity.

The one point in your brief that I feel very strongly about and agree with is that elementary school teachers could quite well be affected by the decision of parents to transfer their children to the Catholic system if they thought it was going to have a continuum from grade 1 to grade 13. That is something the legislation should look at, and I hope it will.

Ms. Van Delft: We hope so too.

Mr. Chairman: Ms. Bryden, it is something the committee has been talking about a lot and is trying to come up with some means of measuring. This is not always easy, depending on the identification of students in terms of which schools they have been to. Some high schools have the capacity to determine that in the way their computer systems work; in others there would be no way of actually registering how somebody had made the decision, whether it was because of his catholicity or because of other factors. That makes it much more complicated, obviously, but we are looking at this as something that needs to be dealt with.

Ministry people and the parliamentary assistant tell us it was not the intention of the act to exclude public elementary-level teachers but that they were to be encompassed in the broad wording of that section, so I think you will see some changes happening in that area.

Mr. Pierce: For a personal clarification, on your second page from the last, are there no elementary separate schools in the rural area?

Ms. Van Delft: No.

Mr. Pierce: None whatsoever. So all the rural pupils are required to go to the public school system. Is that right?

Miss Perizzolo: We have one in the east in Erin. There is a Catholic school, but it consists only of portables. It is a portable school, not a fixed school.

Mr. Pierce: Are elementary Catholic students being bused to the urban area?

Miss Perizzolo: For high school, yes.

Mr. Pierce: No, elementary.

Miss Perizzolo: Elementary?

Mr. Pierce: That you are aware of. What I am trying to get sorted out in my mind is that in your first paragraph you say, "These young people were not separated on the basis of religion throughout their school career."

Miss Perizzolo: I teach in Erin and we have many Catholic students in our public school there. They do bus some students who are attending the French Catholic school in Guelph.

Mr. Chairman: Do you have anything else, Mr. Pierce?

Mr. Pierce: The other thing is that you talk about requiring more money in the elementary school system, and you responded to Mr. Sheppard's question about requiring smaller classrooms and more diverse forms of education.

Then we go to the next page and you say, "Transfer to the separate system of even a few elementary pupils may make small community schools"—and I can agree with this, because it is happening in my own area—redundant and it requires the busing of even elementary students to the larger urban areas. As a point of clarification, can you give me an idea of the distances involved in the busing problem?

Mrs. Wright: I know of a group of kindergarten children where there is a classroom just a short distance away, several blocks away, and they are being bused five miles. The Ospringe school students are being bused over to Erin, partly because they have chosen to take French immersion.

Mr. Pierce: I find in my own riding that even in the urban area we are busing all the kids within the community. There seems to be some kind of move afoot whereby, if there is a school in front of your house, then your child should go to the school which is 1.5 miles away. They pick up the student and take him 1.5 miles away to that other school. Almost every child today is being bused somewhere. I get a little concerned about that.

Ms. Van Delft: We do too, as teachers.

Mr. Chairman: We have discovered that there are very different policies about busing in different parts of the province and between Catholic and public boards in the same area. The pickup parameters, if I can put it that way, are quite different from one area to another.

Mr. Pierce: There could be a misconception also that the local taxpayer is responsible for the busing. In fact, the Ministry of Education provides the funding necessary for busing in all the areas. It is not a local responsibility.

Mr. Chairman: Is it not part of the local budget?

Mr. Pierce: It is part of the budget of the Ministry of Education.

Ms. Van Delft: Is it not part of your grant?

Mr. Pierce: Each separate board is not responsible to collect the revenue necessary to pay for the busing. It is a provincial responsibility.

Mr. Sheppard: Each board gets a grant from the ministry.

Mr. Pierce: From the ministry; that is right. It covers the cost of busing.

Mr. Reycraft: Not in its entirety.

Mr. Chairman: Would the parliamentary assistant like to explain it?

Mr. Reycraft: I believe the subsidy is in the neighbourhood of 85 to 90 per cent. It is an extensive one, but it is not in its entirety.

Mr. Chairman: Therefore, the greater the

busing problem in your local area, the larger the local component of it.

Mr. Reycraft: That is right.

Mr. Chairman: Given my mathematics—if there was anything Mrs. Barnett failed in at Salem public school it was helping me with my math. Other than that I have to admit she was a magnificent teacher.

Thank you very much for coming and sharing your thoughts with us today. We have appreciated the impact of many of your locals and of your province-wide organization in terms of the kinds of concerns you have raised, some of which were not thought out very much by the drafters prior to the presentations.

The committee recessed at 4:57 p.m.

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 Reycraft, D. R. (Middlesex L)
 Sheppard, H. N. (Northumberland PC)

From the Lincoln County and Welland County Roman Catholic Separate School Boards:

Albanese, Dr. A., Chairman, Welland County RCSSB
 Ferren, P., Director of Education and Secretary-Treasurer, Welland County RCSSB
 Hendriks, M., Chairman, Lincoln County RCSSB
 O'Neill, R. F., Director of Education and Secretary-Treasurer, Lincoln County RCSSB

From the Ontario English Catholic Teachers' Association, Nipissing Unit:

Kennedy, K.
 Soule, K.

From the Wellington County Women Teachers' Association:

McGee, M.
 Perizzolo, A.
 Van Delft, M.
 Wright, R.
 Mindorff, Mr. and Mrs. G., Private Citizens
 Shepherd, W., Knights of Columbus, Niagara South



No. S-63

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Thursday, October 3, 1985
Evening Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Thursday, October 3, 1985

The committee resumed at 7:32 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

The Vice-Chairman: The first group to come before us this evening is the Ontario Vocational Education Association. Mr. Carr, welcome to the committee. This is exhibit 780.

ONTARIO VOCATIONAL EDUCATION ASSOCIATION

Mr. Carr: My name is Graham Carr, vice-president of the Ontario Vocational Education Association, and I have with me this evening Dave Penman, who is our secretary, and Al Robinson, who is our treasurer.

The Ontario Vocational Education Association is an association of technical teachers that was formed in 1957, and we are very pleased to be able to appear before the committee this evening to express our concerns over Bill 30 and the extension of funding. To begin with, I will say the concerns we will express this evening relate strictly to technical education and the impact we feel Bill 30 will have on technical studies in our schools.

As technical teachers, we are dedicated to providing the students in our schools with an opportunity to explore and develop skills in practical subject areas. It is our belief that all students, be they academic, business or technical students, should have an opportunity to have some practical experience and training during their school careers to obtain a well-rounded education.

We look with concern on the unemployment statistics for the students who are leaving our schools. In August 1985, 34 per cent of the 15- to 24-year-old age group was unemployed. That was at the time when the average in Ontario was little more than eight per cent. In 1983, the latest data we have for the male-female split, 42 per cent of males in that age group were unemployed and 39 per cent of females; so we see that there is an extremely high unemployment rate among our young people after leaving secondary school.

We feel that at a time when Canada is talking about possibly going to free trade with the United States, it is imperative that our people leaving school be adequately trained so that they may go immediately into the work force. The technological studies programs in our schools can provide a basic training to those students.

It was with this thought in mind, we understand, that in the 1950s and early 1960s the federal government provided money to the secondary schools throughout Canada, especially in Ontario, to provide technical facilities in all our schools. The result of that is the composite schools that are scattered now throughout Ontario. As technical teachers, we are very proud to have been brought into the education system at a time when those schools were being built, and we feel it has made the Ontario education system one of the best in the world.

Unfortunately, however, the trends are changing. Technical education costs more than academic education. The ministry recognizes this in the general legislative grants by providing a technical weighting factor based on the number of technical teachers in a particular school system.

We are all well aware that the amount of money that has been channelled to the boards during the past few years has been reduced, and it has been reduced at a time when the equipment that is in those technological shops is beginning to deteriorate and is badly outdated. Some of those shops are underequipped because they have been unable to replace that equipment.

Under Ontario Schools, Intermediate and Senior divisions, there has been a shift towards academic subjects. Students must now take three additional credits, and the problems in students choosing three additional technical subjects are very widespread. A student entering grade 9 now must have 30 credits to graduate. Taking eight subjects per year for four years allows the student to fail only two subjects. If a student wishes to specialize in the technical area, he must also take mathematics and science to enter apprenticeship programs. It leaves very little room for students to take the technical courses, even though under OSIS there is seemingly a thrust towards technical education.

If, as Bill 30 indicates, money will now be directed away from the public school system and into the separate school system, it will mean there will be less money overall for both systems to maintain those technical programs. Even if the same amount of money goes into the public school system, we feel it will also impact on the technical programs because of the reduced number of students and the increased cost to maintain the level of service with a reduced number of students. If that money were to be spent on upgrading the current system or the current technical facilities, we feel our schools could once again be some of the best in the world.

You have already seen the data in the Ontario Secondary School Teachers' Federation brief concerning the program shifts that have taken place under OSIS. These shifts have been devastating for both family studies and technological studies.

7:40 p.m.

In appendix A, I have taken those data and shown them as percentages of enrolment or as percentages of total program. As is indicated on the first sheet of appendix A, in the upper half, 68.7 per cent of grade 9 students took technological studies programs in 1983-84. In 1985-86, this year, it is down to 53.1 per cent. Similarly, the percentage of the total program has dropped from 8.93 per cent in 1983-84 to 6.59 per cent in 1985-86. That shift, the reduction in the number of students taking technological studies programs and the drop in the percentage of total program have resulted in massive disruption of the technological studies teachers.

Under the Education Act, regulation 262 severely limits the subjects that a technical teacher may teach. For example, at grades 11 and 12, a technological studies teacher may teach only the subject on his certificate. In grades 9 and 10, he may teach by mutual consent any other technological studies subject. In contrast, a general studies teacher can teach any subject at any level by mutual consent. For example, if an electronics teacher finds his program is being reduced and the teacher's only qualification is electronics, that teacher is no longer required; he cannot teach any other subject.

That is why there have been such massive numbers of technical studies teachers on the surplus lists this year. For example, in Sudbury there is a surplus pool of 17 technical teachers; those are teachers who could not find jobs in the regular school. In London, there is a similar situation; I believe the number there is 10. Even in Peel, which is my own board, there are four

teachers in that pool, although we have hired teachers this fall. There are four technical studies teachers in the pool for whom there are no jobs. In some of those pools, a teacher may be in the pool for only one year with guaranteed employment and then the teacher is lost to the system.

As students move to the separate school system, there will be a further reduction in these programs, and this is where our concern comes in. We are already stretched to the limit in our technical programs. For example, in Dave's school, in Halton, we have an electronics class that has four different grade levels—grades 9, 10, 11 and 13—in the same class at the same time to maintain the program. If we reduce the number of students in the school, we will reduce the number of students who wish to take that subject, the subject will disappear, and along with it will disappear the teacher. We have done a disservice to our students, and we have done a disservice to the teacher whom we brought into the system to teach those programs.

Under subsection 136l(8) of the bill, there is a provision that a public board must keep the displaced teachers in its employment. However, our concern is, how do we distinguish between a teacher who is displaced based on gross numbers and a teacher who is displaced because the enrolment shift has resulted in a reduction in the program that the board can give? Will those teachers be fired? What criteria will be used by the boards to determine which teachers have been displaced by the shift to the separate system and which have been displaced by the program shifts?

Many of the teachers in technological studies made a career change; they made a definite decision—in some instances in their 40s and 50s—to come into education. Therefore, there are very few of those teachers who can ever reach the 90 factor and fewer still who can reach the 35 years that are required for a full-service pension. Even if we tried to make modifications to the superannuation for those teachers, we are still going to be faced with teachers who are being forced out of the system by shifts that have taken place because of shifts in government policy. We feel that provision should be made for those teachers.

In the committee hearings I have attended, there has been a considerable amount of discussion on shared facilities. The Minister of Education (Mr. Conway) has emphasized that wherever possible, facilities would be shared. Sharing facilities may be fairly simple in a

classroom that is not specific to a subject area, but what will happen in a technical shop?

In Hamilton and in Peel, attempts have been made to offer specific programs in specific schools, and students throughout those boards have been encouraged to attend those schools. For example, if a student wanted to pick up refrigeration, he would attend Bramalea Secondary School in Brampton. If he wanted to pick up automotive mechanics, Brampton Centennial specializes in auto mechanics. The general trend seems to be, however, that students will not change schools to take those programs. Even though busing is provided, students tend to want to stay in their own school with their friends rather than shift to another school.

We feel that if a separate board and a public board were sharing the facilities and the public school had technical facilities, those same conditions would apply: the students would tend to stay in their own school and not attend the technical facilities.

The same problem arises if two boards share the same building. How are those technological studies classes going to be taught if there are two schools, each with 300 students, within the same building? Chances are there will not be a sufficient number of students to run two different courses in, for example, senior auto mechanics or senior electricity. If you combined the two into 600, there would be. So chances are that rather than having one class of 24 students, for example, you would have no classes. If you split the 24, even on a 50-50 split, you would have 12 students in each school sharing the same facility. That is not enough students to run a course. If you put them together in the same classroom in the same building, why make the split in the first place?

The reduction in the number of students in a school system has a greater impact on technical education than it has on any other subject area. That is why we are here before you this evening and possibly why you may not have heard from any other subject association. At this time, we feel it is more important than ever that our youngsters be prepared for a working career. That feeling seems to be shared by many people.

I urge you to read the research document *Secondary School to Work: A Difficult Transition* by Dr. King and Mr. Hughes, which contains some excellent data. It was published this year, so it is very up to date. It urges all schools to provide a training for students that would allow them to enter the work force with a minimal amount of additional training.

7:50 p.m.

We see the extension of funding to the separate schools as possibly being the final nail in the coffin for technical education. As I indicated to you earlier, we are stretched to the limit as it is. If we reduce the number of students in the schools any further and spread them more thinly, as two particular systems would do, we feel it may be the end of technical education as we have known it over the past 20 years in Ontario. We therefore urge you to seriously consider these implications before sending Bill 30 back to the House.

Mr. Sheppard: On page 4, you talk about retirement at 35 years. I am a trustee and have quite a few friends who are school teachers. I have one who is 48. He started teaching elementary school when he was 18 and went on to get his degree. We were talking about Bill 30, and he said he had only three years to go and then he would get out because he could retire with a good pension. I know all school teachers and principals are not in the same category.

I am wondering why you made the comment about any reaching the 35 years required for full-service pension. Has the pension changed? I thought for teachers, principals or directors it was based on the best five or seven years. Can you explain that to me? Maybe I am misunderstanding something.

Mr. Carr: The pension is based on the number of years of service in the system, but the amount of money starts out with the best five years. You take a percentage of the best five years, and that is based on the number of years you have been in the system. The maximum is 70 per cent, which is the 35 years. It is calculated at two per cent per year. However, if you have not reached the 90 factor or the age of 65, then there are five per cent per year reductions in that calculation once more.

A person who enters teaching at age 40, say, could teach for a maximum of 25 years. The pension would be 50 per cent of the best five years. That pension would be further reduced by the difference between that person's age and the 90 factor by five per cent per year. That 50 per cent pension could be drastically reduced if, for example, the person had only an 80 factor. The reduction would be a further five per cent per year from 90 down to 80 of the 50 per cent.

Mr. Sheppard: This is quite true, but probably you are going to the extreme because how many—

Mr. Carr: With the technology studies teachers, I am not.

Mr. Sheppard: Is that right? Having been a trustee for 16 years, I surely would not want to go into the teaching profession at the age of 40.

Mr. Carr: There are many teachers who do so. There are many who enter the profession at the age of 50. We have one in Perth. I was there last night, and a teacher there was declared surplus who had seven years' service. He is only two years from retirement; so he entered the teaching profession in his late 50s. That is not uncommon.

Mr. Sheppard: I know of a number of people who work in industry or the armed services, and once they get a maximum of 25 years, they get out and take a pension to go into some other profession. I would hope that anyone who went into teaching at 40 or 50 would have an income from another profession.

Mr. Carr: No. I am sorry. Many of them do not. A few do. The vast majority do not.

Mr. Penman: In my case, to be qualified as a technical teacher, I had to serve a recognized apprenticeship plus seven years before I was allowed to enter the College of Education, which meant I had to be a minimum of 30. I started teaching when I was 32; that was as soon as I possibly could because of the qualifications required at that time to enter the College of Education. Many technical teachers were in a similar position.

That is a problem as far as we are concerned. We did not have the opportunity to enter teaching at 21, 22 or 23, which would give us the 90 factor. In our case, because of what was required by the College of Education as minimal requirements to teach a technical subject, we had to be at least 30 before we could enter that college.

The Vice-Chairman: One of the major problems is that a lot of technical teachers worked in the private sector before they went into the system. Many of the small places, the tool and die makers, whatever the profession, did not have pension plans. That also applied to commercial teachers.

Mr. Sheppard: That is all due to the time.

The Vice-Chairman: A motion has been placed before the committee to discuss some of the matters relating to Bill 30. One is reform of the superannuation fund and the buy-back provisions and so forth. The buy-back provisions would help technical teachers to some extent.

Ms. Bryden: I appreciate your bringing to us the problems of technical teachers. A lot of people do not appreciate how you have been affected by what has been happening to technical

education under the OSIS guidelines and with declining enrolment. As you said, the extension of funding seems to be the last nail in the coffin. I appreciate your coming and telling us what is happening. These hearings are an opportunity to bring this to the Legislature.

I also appreciate your concern for the importance of technical education in our high-technology society. I think that is being undervalued at present, yet we have to respond to it. The government has set up a new Ministry of Skills Development, which presumably will be concerned about the technical training of our young people. I do not know whether that will offer new opportunities for people in the secondary system. I know you have your own specific problems because of many of you coming into the school system late from other careers and having shorter pension periods.

Do you think the extension of funding, which is to give the separate school system equal opportunities to have technical training, should also be turned aside? Will there not be additional jobs when many of them try to correct their inadequacies in the technical training field? Will there not be a lot of new jobs for technical teachers?

Mr. Carr: If the money were there to provide the technical plant facilities, the answer to the question would be yes. However, it is our understanding the money will not be there. It would be extremely expensive to duplicate all the technical facilities that exist in two school systems. I do not think, and I am sure you feel the same way, Ontario can afford that money at the moment.

Ms. Bryden: I do not think we can afford duplication. Your point was that if 24 students wanted a specific technical course, they should not be split into two groups of 12; they should be in one class, certainly for the technical training. I do not see why that could not be worked out administratively. In their school affiliation, they could still be in the dual system, but for their technical training they could be in one class. Would that not be feasible?

Mr. Carr: We would hope that would be possible.

8 p.m.

Ms. Bryden: That is an equal part of the thrust of Bill 30, that there should be no duplication of facilities and that the school boards should plan to avoid duplication and additional capital expenditures when they are not necessary. Do you think this committee should recommend a

complete review of the OSIS system? After all, that was brought in by the previous government. We now have a new government. Perhaps we should recommend that we have a further committee to study what is happening to our technical training under OSIS, because you pointed out some of the problems that have occurred and the kind of training that is being cut back.

The Vice-Chairman: You are not suggesting a committee of the Legislature?

Ms. Bryden: I am suggesting another committee, not the same one.

Mr. Carr: We would certainly hope that kind of analysis could take place, because we are deeply concerned over what is happening to the technological studies and family studies programs in our schools.

Ms. Bryden: I think you have painted a very graphic picture of what is happening in the schools as a result of OSIS and declining enrolment. I think that does require attention. I am glad you brought the picture to us.

The Vice-Chairman: Are there other questions from committee members? If not, I might ask one.

Of the students who are transferring to the separate school system, and we have had the global figures on the number of students who have transferred this year, do you have any sense at this point of how many are taking vocational subjects? Or would it not be the case that the majority of those students would stay in the public school system because they want to take vocational programming?

Mr. Carr: There are two kinds of students who take technical programs. There are those who wish to go directly into the work force once they leave school; they are, for the most part, general-level students. There are also the advanced-level students who take technical programs as a special interest.

I am not sure of the shift that has taken place so far, whether we are losing the general level or advanced level students. I do know that since OSIS started there have been far fewer advanced-level students taking technical programs than there were in the past. That robs the technical studies class of a different type of student, a student who is required for the benefit of all the others in that class.

The students who transfer to the separate school system at the moment are not taking the technical studies programs because the separate school system has very little in the way of

technical facilities. Draughting is about the only subject available, as well as some industrial arts programs. Whether the shift away from technical education which is currently occurring is because of OSIS or because of the shift to the separate school system, we do not have a handle on that as yet.

Mr. Penman: A survey of my present grade 12 classes would indicate that had the change taken place two years ago, I would now not have roughly one third of the present senior level in my class. I point out that is only my own case, but if you look at these figures they are rather alarming.

The Vice-Chairman: Those are advanced-level students?

Mr. Penman: They are grade 12 students; so I am talking in terms of grade 12 students who are currently enrolled in the class.

Mr. Pierce: Could that be a result of a recognition by the students that job opportunities in industry are no longer available to them and they are looking at the more academic opportunities as students coming out of school and going on to post-secondary education?

Mr. Penman: That has been a conception within the past four years. You will find now that most students are asking the question, "Where am I going to get a job?" rather than which university or community college they are going to go to. I have more students now going right into the work force than ever before. Again, that is only my own observation.

Mr. Pierce: That is an interesting observation because your statistics indicate the rate of unemployment for students 15 to 24 years old is increasing more and more; so there are not as many of those students going into the industrial work force, as you say, to indicate that they should be looking at further education.

Mr. Penman: I am quoting only in my own case. I happen to teach in the area right between Hamilton and Toronto, and these kids are finding jobs—some of them anyway.

Mr. Pierce: Look at the unemployment statistics for Ontario and Canada today. On any given day you can approach any manpower office and find all kinds of tradesmen out of work. I wonder whether the students have not already picked up on this. I know the students in my own area have and said: "There are no more jobs available to us in the industrial trades. We have to look for something else." If the guidance teachers are telling them to stay with industrial trades and to look for work in industry, then somebody is giving them some misdirection.

Mr. Carr: There is more to technological education than just the industrial trades. There are the entire service trades, and that is an extremely rapidly growing area. We would hope the school system would be able to make the shift into the service areas and thus provide job opportunities for the students.

The Vice-Chairman: Thank you very much. We have heard some information before on this particular aspect of the problem, and we do appreciate this further information. We hope the final version of the bill, and the way it is implemented at the local level, will not have the serious impact you fear. We hope we will be able to make arrangements at the local level so that these types of things will not happen; that boards will be able to work together. Maybe the bill will have incentives to encourage that. Thanks very much for coming before the committee.

The next presentation before the committee tonight is M. Deans. Welcome to the committee. This is brief 781.

MICHAEL DEANS

Mr. Deans: Just a quick introduction. I am a parent with two children right now in the separate system, and I have been educated through the separate system along with a number of members of my family of 13. I know what it is all about in there, and that is one of the reasons I am here.

I wish to express my apprehension regarding the overall intent of Bill 30, An Act to amend the Education Act. This act should have been a minor revision to the financing aspect of Ontario's secondary education in ensuring that Catholic secondary schools receive the moneys unjustly withheld since 1867. Comments of politicians, the public and news media, however, indicate the funding issue has become an indirect method to neutralize the catholicity of the Roman Catholic school system. This belief is reinforced by two excerpts from an article written by John Ferri of the Toronto Star on Wednesday, September 18, 1985, under the headline "Did Davis, Cardinal Make A Deal?"

"One thing is certain, there will be changes to Bill 30—and they may include some that Catholics might find threatening to their control over the separate 'ethos' of the system....

"The [NDP] supports the Liberal minority government but is expected to raise 'human rights' questions about the funding and may join the Tories in pressing for open access to the separate system for teachers and students."

The fact that this has become the direction of the funding requires me to say unequivocally

that this bill is unacceptable where it in any way changes the philosophical or religious direction of the Roman Catholic school system.

It is the intention of my presentation to express opinions supported by several Catholic parents and to suggest recommendations regarding Bill 30 which will make the bill acceptable to myself and many others as public taxpayers, Catholic school supporters and Catholic parents.

Legislators and people of Ontario must recognize and realize the historical facts. The forefathers of this country guaranteed, under section 93 of the British North America Act of 1867, the rights of Roman Catholic schools in Ontario, formerly Upper Canada, and the Protestant schools in Quebec, to continue with full government assistance, based on the principle of prior existence.

Section 93 of the British North America Act of 1867 states: "In and for each province, the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:

"1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at union."

8:10 p.m.

Furthermore, the same legislative act guaranteed that whatever elements made schools distinct were to remain intact as per subsection 93(2):

"All the powers, privileges and duties at the union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec."

Paraphrasing section 93, subsections 3 and 4, indicates that these guarantees will be enforced by the Governor General in Council and Parliament whenever legislation is presented contravening the act of 1867.

It is section 93 of the Constitution Act of 1867 that has provided for the equality of both Catholic and Protestant school systems and prevented any legislative body from undermining the philosophy of either. However, only the Protestant denominational schools of Quebec have enjoyed this privilege, while Roman Catholic parents have struggled to maintain a system in this province despite historic precedent for funding.

The Minister of Education reinforced the intent of section 93 when introducing the Education Act amendment on July 4, 1985,

declaring, "The distinct mission of the Roman Catholic school system must be maintained."

The distinct mission of the Roman Catholic school system has been to offer a Catholic education to Catholic children as guaranteed by the Constitution. This Catholic education consists of the following dimensions:

1. A multilevel academic program that parallels the public system where funding allows, as required by the Ministry of Education.

2. A social aspect that is the direct result of children coming together from many cultures, with their unique ideals, under the guidance of educators. This same role is performed in the public system as well.

3. The catholicity aspect that reinforces through teaching and example the teachings of Christ and the Catholic church.

This last aspect is not present in the public system, and it is central to the existence of the Roman Catholic school system in Ontario. Catholicity is not just an academic subject taught once a day but is a significant component of the school system itself. It is a way of life that students, administrators and teaching staff partake of both in the home and at school. It is fully integrated throughout the academic day and hence requires staff and administrators who are firmly committed to its teachings.

A further insight to these ideals is enunciated in the apostolic exhortation by Pope John Paul II, *On Catechesis in Our Time*, where he states:

"Together with and in connection with the family, the school provides catechesis with possibilities that are not to be neglected. In an unfortunately decreasing number of countries in which it is possible to give education in faith within the school framework, the church has the duty to do so as well as possible.

"This course concerns first and foremost the Catholic school. It would no longer deserve this title if no matter how much is done for its high level of teaching in nonreligious matters there were justification for reproaching it for negligence or deviation in strictly religious education. Let it be said that such education will always be given implicitly and indirectly. The special character of the Catholic school, the underlying reason for it, the reason why Catholic parents should prefer it, is precisely the quality of the religious instruction into the education of pupils."

I wish to reiterate, the special difference of the Roman Catholic school is not just the formal religion classes but includes the effect of the catholicity emanating from all participants with-

in the Catholic system directly and indirectly. Therefore, the old adage "Do as I say, not as I do" can play no role within the Catholic system.

The catholicity component is fully protected by the Constitution under section 93 relative to the theory of prior existence that directly protects the Catholics' rights to maintain discretionary hiring and admission regulations. It is this right that provides an important element of the lifetime of catholicity within the Catholic system.

Let there be no misunderstanding. The Catholic school system has as its priorities the philosophy of Catholic education and, accordingly, should be funded by Catholic taxpayers. The funding issue is basically the redirection of Catholic taxpayers' taxes, both direct and indirect, currently directed to the public system and is not a redistribution of public taxpayers' taxes as the media seem to imply.

Bill 30 should have corrected only the injustice levied on Catholics relative to funding but has taken on the additional role of redefining a Catholic's rights relative to our school system. This can be substantiated by the following.

1. Subsection 136l(19) states: "The Roman Catholic school board shall not discriminate on the basis of creed with respect to employment against any person designated by the public board." This is a restriction that will prevent our schools from using discretionary hiring practices to determine whether a designated teacher would follow not only the guidelines of the Ministry of Education but also the guidelines of Catholic education. It would prevent any review to determine a teacher's position on issues fundamental to the system.

2. The guaranteeing of a designated teacher's seniority and the hiring procedures as described in subsections 136l(11), (3) and (4). These subsections are discriminatory towards Catholic teachers, who are an integral aspect of our Catholic system. If redundancy should occur, a Catholic teacher with more years of service within the separate board would be declared redundant before a designated teacher. A Catholic teacher returning from leave would be displaced by the designated teacher in the years of funding. The overall effect would be the loss of these people who sacrificed in support of the system. This would further erode the catholicity of the system.

3. The role of the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario under sections 136r to 136y creates a court of final decision relative to Catholic school

policies. The public system is answerable to the ministry and parents only, whereas the separate system would now be answerable to the same parties, in addition to a third party.

All these aspects can be compared to one political party having to accept members of another party to help formulate its policies without the host party having any control over acceptance of such members. There is not one member of this committee who would accept such a situation in his or her party. Therefore, acceptance of this bill in its present form would negatively alter our existing system and hence is unacceptable.

However, I believe the following recommendations would serve to correct this apparent injustice towards the separate system.

1. Subsection 136l(19) should be deleted from the bill so as not to infringe on the constitutionally guaranteed right of separate schools to maintain discretionary hiring policies in order to protect the catholicity of the system.

2. Section 136l should be written so as not to discriminate against Catholic teachers and separate boards. The revisions could read as follows:

(a) Secondary teaching personnel directly affected by the extended funding in so far as current enrolment within the public secondary system is reduced as a direct result of transfers of secondary school students from public secondary schools to the separate secondary school shall be deemed as designated personnel to be considered within the discretionary hiring practices of the separate school system.

(b) These designations should take place in each of the five years when the separate system will commence receiving extended funding.

(c) These designated personnel shall transfer to the system with their current salaries and benefits, excluding seniority. The year of transfer shall be deemed their first year with the separate board on the same basis as any newly hired teacher with that board.

(d) The hiring of these designated persons shall rank next to those teachers returning from leaves of absence granted within the previous two years by the separate board.

(e) These designated teachers will be required to adhere to the Catholic policies of the board except where actual religious services are involved.

3. Sections 136r to 136y regarding the powers of the planning and implementation commission should be revised to ensure that the commission has power only related to the logistics of funding relative to the funding period. It should state

unequivocally that it has no authority over separate school policies and practices.

4. Section 136o, including subsection 6, is acceptable as it reflects the current spirit of the separate school system relative to non-Catholic students. However, where a student voluntarily decides to be educated under the separate system, he or she has directly accepted its philosophy of education. Such a student should not be exempt from courses of study in religious education unless the separate board so decides. The act should specifically state this to disallow recourse to any governmental body to determine otherwise.

5. Subsections 136a(1) to 136a(5) stipulate that the separate school board must apply for permission to offer a secondary school education and will only receive permission if the planning and implementation commission deems it will be in the best interest of public education. This section fails to recognize that the Ministry of Education has recognized separate secondary schools without the necessity of using a third party of governmental bureaucracy. Therefore this section should state:

(1) All existing separate secondary schools be recognized as the legal extension of the secondary level of education of the separate school board.

(2) The separate school board be recognized as the other stream of public education with all rights and obligations relative to both the elementary and secondary education under the protection of section 93 of the British North America Act of 1867.

(3) The planning and implementation commission act only as the co-ordinating legislative body during the transition period of the funding.

8:20 p.m.

6. The preamble of An Act to Amend the Education Act is somewhat misleading in so far as it claims that public policy in Ontario since 1899 was to provide for public funds to support education in the Roman Catholic Separate schools to the end of grade 10. In fact, grades 9 and 10 did not receive any funding until the 1960s under former Premier John Robarts—not quite the former Premier, however.

Furthermore, the funding provided was that equivalent to elementary levels which, translated into current dollars, was a shortfall of approximately \$832 per student relative to the other public system. Therefore, I recommend for historical accuracy that the wording be revised to reflect the timing and the extent of funding to the date of the revised Bill 30.

In conclusion, I wish to state that the separate system has survived due to the personal sacrifices of generations of students, parents, teachers and administrators. I believe Catholics will not accept a law that will be perceived as an attempt to undermine the catholicity of the system.

I thank you for your time, and I trust that this presentation will be seriously considered prior to the final drafting of Bill 30, An Act to Amend the Education Act.

Mr. Sheppard: On page 5, halfway down through item 3, it says, "The public system is answerable to the ministry and parents only, whereas the separate system would be answerable to the same parties, in addition to a third party." Who is the third party?

Mr. Deans: The third party, from what I have been able to get out of reading the act, is the planning and implementation commission. It seems to have a justice type of role to play. It is going to be the overseer of whatever presentations the Catholic system makes prior to being allowed to be declared as a secondary school.

Historically, if I am not mistaken, the Catholic schools, like the public schools, have been able to make a presentation to be allowed to teach students at the secondary level. I could not see the reason for the planning and implementation commission to have that kind of power when it previously did not exist. It seems to be putting the Catholic system under one more form of government control; I am not too happy about that, and I am sure many other taxpayers following the same line of thought are not too happy about it.

Mr. Epp: Let me pursue that for a moment. Most of the people who have been before this committee, particularly those supporting separate school funding, have supported the idea of the planning and implementation commission. It has been the other groups that have usually opposed it. They wanted it more accountable to the politicians. Now you are in the minority with respect to those supporting the bill who are not in favour of the planning and implementation commission.

Mr. Deans: If you take a careful look, I am saying the commission should exist during the funding period. My concern is, in reading the act, that it does not specify that it will cease to exist after the funding period. That is more my concern. I can understand the logistics have to be handled by some form of legislative committee; I believe it is a legislative committee.

Mr. Epp: During the funding period?

Mr. Deans: During the funding period.

Mr. Epp: You are thinking of three years?

Mr. Deans: Five, or whatever it takes to finish the funding. I suspect in grades 9 to 13.

Mr. Epp: No, it is grades 11, 12 and 13.

Mr. Deans: Okay; I stand corrected. Then during the three years, I can see nothing wrong with its existence. My concern is that I do not see anywhere where its lifespan can be terminated. There seems to be the possibility that the government can continue on with it. No disrespect meant, but I find the government continues on with a lot of committees that should have ceased years prior in a lot of places. That is my concern.

Within this act, I would like to see something to put a deadline on that commission so the separate system does not have to be answerable to it for the rest of its days.

Mr. Epp: You are suggesting three years?

Mr. Deans: I am suggesting three years.

Mr. Epp: At the bottom of page 5 you seem to feel that the separate schools would be very much discriminated against by the fact that they have to hire redundant teachers out of the public schools. How would you answer those critics who say the Catholic teachers who graduate from teachers' college have a distinct advantage because they have the advantage of going to either system whereas the non-Catholic teachers only have the advantage of going to one system?

Mr. Deans: That is a very well placed question. First, they should probably shut teachers' college for a while. There seems to be such a redundancy of teachers out there.

Mr. Epp: Just for the Catholics? I am not exactly clear.

Mr. Deans: For everyone, until they can get it all straightened out.

In answer to your question, my concern has been—and I saw it happen just this year—about teachers with the Catholic board who are put on hold as a result of the funding, because it is told it has to hire so many redundant teachers from the public system. In addition, redundant teachers from the public system seem to have the ultimate position where each time a new position comes up, we have to hire them. So if there are 100 redundant teachers and we need only 20 in the system, we have to hire the 20. I am speaking of teachers redundant not just in the first year but cumulatively.

What happens down the road is that teachers within the Catholic system who are returning

from leaves of absence for whatever reason will not be rehired and we will have a significant influx of non-Catholic teachers. It is not that there is anything wrong with non-Catholics, but it is a Catholic system and one of its requirements is that its teaching staff be able to guide the students and set an example for them within the Catholic beliefs and way of life. That is why I cannot truly accept the fact that we have to hire redundant teachers, period.

There is no problem with hiring them within our discretionary hiring guidelines, because I am sure there are a lot of Catholic teachers out there who probably should not even be in the system.

Mr. Epp: We have heard 780 briefs or something of that nature. I have not heard them all, but I have heard most of them, and our experience has been that the boards have not found that there has been a great increase in the number of non-Catholic teachers who have gone over to the Catholic boards. There has been a minimum number of transfers.

Mr. Deans: I understand.

Mr. Epp: Most of those have been voluntary and most have been Catholic; so there has not been a great infusion of non-Catholic teachers into the Catholic system.

Mr. Deans: However, this is the first year. If down the road all of a sudden there is some change in the calculation of how we declare a teacher redundant because of funding, you could have a reversal of that role.

I am not saying we should not hire redundant teachers displaced by the funding. I am saying we should have the right to maintain our discretionary hiring practices. I do not believe we want to have in the system someone who will openly defy basic beliefs that are supposed to be instilled in the home and followed up in the school.

Mr. Epp: Let me put it this way: Do you honestly believe that anyone who felt that strongly, was almost anti-Catholic and did not want to go along with the standards of the separate schools, would be comfortable in wanting to transfer to the Catholic system? Would that not in itself be a cleansing kind of procedure?

Mr. Deans: The only way I can answer you is to say that economics makes very strange bedfellows. If they need a job, a lot of people will be willing to sacrifice a lot of things to get it. The way the act is now, those people, once in, could be readily and very well protected from being

removed. That is my understanding; I am not saying I am an expert on what the bill states.

Mr. Epp: You may be right. My feel of the subject is that I think you are misjudging the situation, but you may be right. Time will tell.

Mr. Deans: I have talked to a lot of parents who would agree with how we perceive it to be right now.

Mr. Reycraft: Many who have come to us, and I tend to agree with their position, suggest that the greatest shift in students from the public system to the separate system is going to take place at the grade 8 level. Rather than go into grade 9 in a separate school and be faced at the end of grade 10 with either shifting to a public secondary school or the alternative, paying tuition, students have chosen instead to begin in grade 9 in the public school.

Do the changes you have proposed to section 136I suggest that this impact of the extended funding, this shift in the grade 8 students, will not be reflected in the accommodation of teaching staff if they are dislocated?

8:30 p.m.

Mr. Deans: I am going to look somewhat callous and say yes. We have had to live with the fact that once our children got to grade 8 we had to decide if we could afford the economic value of what we perceived as the Catholic system. Can we afford to send our children to that or do we have to send them to the public system?

My understanding is there are a lot of parents who send their children to the secondary public school for that very reason. So I am looking at it from the point of view that basically it is about time we had that right and why should we continue to pay for that right because of the funding? Why can we not, for a change in history, be allowed to run our system the way it is without there always being a catch to it?

Mr. Reycraft: With all due respect when you consider the impact of that kind of position on teachers and their families, I must say that for a system that claims the need to teach by example and instil tolerance in its students, it is a very poor example.

Mr. Deans: I guess from your viewpoint it is a very poor example. I do not look at it in that light because I do not think our system has been treated all that fairly over history to start with. Maybe it is an eye for an eye. I should not really agree with the eye-for-an-eye philosophy, but my concern is, how do you start playing with the numbers at the grade 8 level? Where do you draw the line between who is going there because now

the funding is available and who is going there because they want to go there? You are drawing very fine lines to be manipulated.

Mr. Reycraft: The previous enrolment patterns are reasonably easy to identify and changes in those patterns could well be used as a basis for identifying the shift in student enrolment.

Mr. Deans: How do you identify, and this is hypothetical, if there is an increase in Catholic children and a significant decrease in non-Catholic children? Do you use the same ratio pattern or what? All of a sudden, instead of 10 Catholic children out of 30 going from the Catholic school over to the public school now there are only 10 out of 60. Maybe that is a result of there being twice the number of Catholic children born over the past 10 years, or whatever. Who is going to set up that mathematical calculation? Who is going to control it? Who is going to run it? How long does it take before economics and politics suddenly decide there are a great number of unemployed people out there in the teaching profession?

We have to do something; it is a political pain in the side and here is what we are going to do; we are going to shift the numbers a little so they have to be hired. That is what I perceive will happen in the future. Governments have been known to do it time and again in many areas. I do not see this as being a particular area that will be sacredly protected by any government.

Mr. Reycraft: I have considerable faith in the ability of the administrators in both systems to be able to identify the number of teachers and the number of students who are affected by the extension of funding.

I have one further question. At the bottom of page 4 and top of page 5 you talk about the measure, I guess it is subsection 136l(19), restricting the ability to "determine a teacher's position on issues fundamental to the system," to quote from your brief. Could you tell us what you see as being issues? Could you give us examples of issues or positions that you are talking about?

Mr. Deans: A prime example would be if a teacher who is declared redundant because of the funding is a member of a group called Pro-Choice and is very outspoken about it, and that teacher is designated as having to be hired by the separate board. If he or she has all the qualifications according to the ministry, there is very little the separate board can do to prevent the hiring of that person, even if that person, by example outside of the school, basically is teaching or following a philosophy that is not agreed to by the system or the church.

That is the most direct example I can give you. There are others—treatment of other people; someone is a neo-Nazi or something and hates Jews and Catholics and anyone else. All of a sudden, we have to hire that person because he is sent by the ministry. He does not preach that in the school. He does not teach it in the classroom but it is public knowledge that individual acts according to that philosophy.

Our system works through example. It is not just the religious teaching. It is the example, the lifestyle of people, that plays an important role in the entire education. As a parent, I perceive the school to be a follow-up on what I try to teach my children at home. That is basically what I meant by that sentence. That was the only way I could describe it.

The Vice-Chairman: We appreciate the fact you have come before the committee. However, I might say as a member, along with some others who have been with this committee right from the beginning, the one thing we have become sensitive to is that this has to be a fair bill, not only to the Catholic community but also to non-Catholics and the public school system, if it is to work.

I do not know if you live in Toronto or outside it, but in smaller communities outside Toronto, the controversy that surrounded this bill would be nothing compared to what would happen if we tried to implement it along the lines you are suggesting. We have to be sensitive to the needs of both the public school teachers and students and the Catholic community, as much as possible, in order for this system to work. That is why this committee has laboured long and hard and will continue to do so in order to strike a very fair bill.

We appreciate the fact you have expressed your views, but I think some of them would be very difficult and unfair to implement.

Mr. Deans: May I just quickly reply to that? This presentation is a look at what I and many other parents perceive to be a one-sided protection. That is basically what it is trying to present. There are things I have pointed out in it that may be somewhat extreme. I have no problem with mellowing some of the extremities but I have a problem when the bill as it stands is not truly addressed, in my eyes, to the rights of the Catholic school teachers and system. From that perspective, I thank you very much for the opportunity to make this presentation.

The Vice-Chairman: Thank you for coming forward.

Mr. Epp: Just one point: are you a teacher yourself?

Mr. Deans: No.

Mr. Epp: You are just doing this because you are interested.

Mr. Deans: I am doing this because I have come through the system. I know and socialize with a number of teachers. I am not the type of person who usually comes before committees, but I felt strongly enough that someone somewhere had to say things that were being said in private; Catholic parents for some reason felt unqualified to come before the committee. It was because of things of that nature.

There are quite a number of people out there who feel differently from what we have heard in presentations on television and through the news media. For some reason, nobody seems to want to take that extra step. I guess everybody is a little afraid to come before such a massive amount of knowledge and expertise.

Mr. Epp: That has never stopped people before.

Mr. Deans: No, it has not, but there are a number of people on both sides, I assume, who feel the same way.

Mr. Epp: It has not stopped people here either.

The Vice-Chairman: Thank God there are a few people who are afraid or else we would be here forever.

Mr. Deans: That is true.

The Vice-Chairman: Thank you very much for coming before the committee.

MR. K. FITZPATRICK &
MR. D. GREGORY

The next presenters are Mr. Fitzpatrick and Mr. Gregory. Do you have a gift for us? This is brief 782. Welcome to the committee.

Mr. Fitzpatrick: I am Kevin Fitzpatrick, this is David Gregory. We are representatives of the Roman Catholic separate secondary school students in Lincoln county.

8:40 p.m.

We appreciate the opportunity to speak to this committee and present our views on Bill 30. We believe the legislation is fair and equitable and long overdue. The Catholic community has proven its desire and ability to effectively educate its youth and, therefore, is deserving of funding on an equal footing with public secondary schools. The amendments to the Education Act proposed in Bill 30 will eliminate the

injustices that have plagued Catholic education in this province for over a century.

Lincoln county's Catholic community has been served primarily by a single high school, Denis Morris. Denis Morris opened in 1958 to educate male and female students in a Catholic environment. The school's enrolment was 240 students. Within eight years, Denis Morris had been enlarged to accommodate 900 students. Growth continued until enrolment swelled to 1,920 students in 1984. These students were housed at three separate campuses throughout the city; yet 20 portable classrooms were still needed.

In September 1985, the Kerwin campus which served the north end of St. Catharines became an independent high school with an enrolment of 525 students. The total enrolment of the new Holy Cross Secondary School and Denis Morris High School now stands at 2,166 students.

A large number of students at a single school causes many problems. From my own experience, this overcrowding makes it necessary for me to share my locker, which is eight and one half inches wide. My classes are filled beyond capacity; some exceed 40 students. Books I want at the library are always signed out.

The halls and cafeteria are full of people; consequently, there are few quiet spots in the school. The detached portables are second-rate classrooms. They are very hot in the summer and very cold in the winter. It is each student's dread to find that his or her class is scheduled for a portable.

It is out of these extreme conditions that a plea was raised from students, their families and Catholic school supporters for an easing of the situation. The result of this plea was a petition in the form of post cards addressed to you, the committee. Each petition urges the implementation of Bill 30. We would like to present these 7,000 petitions to you now.

Mr. Chairman and members of the committee, I would like to quote this petition. It says: "I support the implementation of Bill 30 which will ensure fairness, justice and equality of educational opportunity for Catholic students in Ontario."

Mr. Gregory: At this time, I also would like to present to you these 7,000 petitions in the form of post cards signed by the students, parents and ratepayers of the Catholic community in Lincoln county.

Mr. Sheppard: I thought there was a rabbit in the box. I was not far wrong.

The Vice-Chairman: We never know what comes before this committee in boxes so we were all very anxious to find out what was in there.

Mr. Fitzpatrick: The students who attend Catholic high schools in Lincoln county sacrifice much. Perhaps the most obvious sacrifice each student makes is a monetary one. An estimated cost of \$1,500, for tuition, books, uniform and transportation, is borne by each student's family. In my personal situation, I make this financial sacrifice myself.

On top of this cost factor, there are other sacrifices I make in order to attend the school of my faith. The overcrowding in classrooms means that I cannot receive the amount of individual attention I frequently need; facilities taken for granted by my friends who attend public high schools simply are not available to me. For example, many very costly, technical courses are not offered. These practical, hands-on skills, which are necessary for a wide and proper educational base, are not available to us simply because we are in a Catholic school.

Our society's new computer age could pass us by because we do not have the means to purchase the high technology facilities that are available in our province's public schools. The technology improves every year, but our situation does not. Again, Catholic students are discriminated against because of inferior funding.

On the playing fields, we Catholics have become fearless warriors, battling our well-funded and well-equipped rivals with ageing weapons and rusty armour, facing both injury and death. The situation is not really as rough as all that, but our sports facilities are not up to par with those of our neighbours.

It is strange and senseless to me that although my parents pay taxes, as do all other citizens of Ontario, they have no say as to where their money goes in the field of secondary education. Does it make sense that nearly one half of the citizens of this province must send their tax dollars to a public school board rather than to the board of the school attended by their children, a Roman Catholic school board? The funding we receive for grades nine and 10 is not the same amount as that given to the public schools for the same grades. Clearly, this is discrimination.

What we ask for is simple. Currently, our Catholic schools are five-sixths funded. We ask only for the one-sixth completion which has been denied us for too long. Truly, had the school system in 1841 been as far reaching as it is today, completion would not be a problem now. We are asking that the government of Ontario keeps pace

with our changing world. Schools have changed to meet modern needs; legislation must change to meet those same needs.

Mr. Gregory: You have just heard the present-day problems of the Catholic school system: lack of money, overcrowding and poor facilities. Why then, despite these drawbacks, do so many students want to attend a Catholic high school? The separate school system has definite advantages over the public system. This has been proven merely by the survival of the system against almost insurmountable odds.

The first and most important of the merits of Catholic education is the atmosphere at school of the Christian spirit. It is strengthened by many factors. An obvious one is the teaching of our faith and morality at school. Even though our faith and morals are exemplified by our parents at home, it is still vital that Christian values be upheld at school. The Catholic teachings of brotherhood and unity add to the beneficial atmosphere of a Catholic school because they promote close ties and friendships. There is undeniably an element of harmony.

Our schools provide the advantage of a chapel to ensure growth in the Catholic spirit. Here, students can have time to themselves if they want to pray or meditate. Each of our schools has a full-time chaplain who is always there to help, no matter what the problem.

In each classroom, we have a crucifix, a constant reminder of Christ's sacrifice for humanity. There are both morning and evening prayers; and members of the clergy on staff and formal teaching of our religion all aid our development in the faith.

These unique advantages are in addition to an academic education as sound as any in the public system. Both the qualifications of teachers and the courses of study meet the requirements of the Ministry of Education. However, our curriculum is Christ-centred.

I too have heard of the danger of divisiveness with the completion of funding of the Catholic school system. Catholic school and public school students compete in the same sports leagues and share some facilities, such as the film library and transportation. We hope this sharing will continue to grow.

In preparing this presentation, I learned that 120 students in our school system are non-Catholic. Previously, I had no idea of this fact and had never noticed any divisiveness. One non-Catholic student plays quite an active role in the school and has never been segregated for her

religious practices. In fact, she is now vice-president of the student council.

I also am enrolled in a class that has a non-Catholic teacher who transferred from the public system. She is rather new at the school and already has been accepted by the students. Her religious affiliation does not come into play in the classroom, and she contributes to the promotion of Christian moral values.

As witnessed here, divisiveness will not be a factor. I am sure the present harmony will continue throughout the years with the passing of this proposed legislation.

Mr. Fitzpatrick: The Catholic school system is now strong and well established. It is attended not merely by Catholics out of loyalty, but also by non-Catholics who know our reputation. Our growth is representative of our beliefs.

We founded our school system and brought it to the stage it is today despite injustices. Bill 30 will ensure equal educational opportunity in Ontario. After more than a century, our efforts are being recognized. Catholic students will not have to leave the Catholic school system because of costs and all students, Catholic and non-Catholic, will have a choice.

The financial burden on the parents and/or students will be lifted. Catholic high school facilities will be improved. More important, a great injustice will be rectified.

Mr. Gregory: We appreciate this opportunity to address you. The fact that our small voice was heard in this enormous decision is overwhelming. It gives us pride in our democratic process. For this, we thank you.

The Vice-Chairman: Thank you very much.
8:50 p.m.

Mr. G. I. Miller: From the comments you made on the old equivalency view as far as athletics are concerned, perhaps it is the boys behind the equipment who make the athletes anyway, when you think of it. Your parents probably are proud of you and the way you have made the presentation tonight.

You talked about the expansion of your facilities. Would it be possible and workable to have the facilities built around playgrounds, libraries and recreational facilities that would service the total community? Would that be acceptable as far as you are concerned?

Mr. Fitzpatrick: Our facilities would be open just as the facilities of public schools are open. I would say it would be to the same degree. I know many of our facilities are used already. We have a gymnasium, so we are not completely without

facilities. Summer school courses are taught. Our gym is used. I cannot see any problem in opening to the public any new facilities we get if Bill 30 passes.

Mr. Offer: We would like to thank you for your presentation this evening. As you may know, we have heard representations from different parts of the province from students who have gone to separate schools. It is very important for you to know that it is extremely useful for us to hear from your end as to what makes up a separate school and to give us some sensitivity to that.

I would like to ask you a question not so much on your brief as on your experience. In our deliberations, we have heard from some people that this extension could result in divisiveness. I know in your brief you dealt with this within your school; I am more concerned about outside the school. Can you give us some idea of your ability to associate with others from the public school sector on weekends and after school? Give us some idea from your experience of after-school activities.

Mr. Gregory: In my own experience, I used to live in a community in which there was a public school nearby and there were several students in the area in which I lived who went to a public school. Everything worked out fine. We were all good friends. There was never divisiveness among friends. We did not pick sides or anything like that. We were all together.

Mr. Fitzpatrick: Might I add that many of my friends are non-Catholics. As Mr. Gregory said, there already is no problem. Many of them support the funding. They say: "You deserve it. I get it; you should get it too. We are all the same." Getting the money, as far as I can see, would just make us more the same.

Mr. Offer: That point is interesting, because the question of divisiveness within the community has never come about from the students attending the schools. It is a conjecture on the part of others. It is a point that has concerned me to a degree. We have not yet had students from the public schools make representations, but I have had the opportunity to speak to certain students from the public sector. The response was almost word for word what you told me, so it is very enlightening.

The Vice-Chairman: I want to thank you for a well-put-together, well-spoken brief. It is helpful when we have students before us. I agree with Mr. Offer that we have not heard from the public school students. In some respects there are days

when I think that if we could get the legislators, the trustees and the other adults who are involved with this whole controversy out of it, and just let the students work it out, they would probably do a better job than all of us.

The next presentation before the committee tonight is from the Ward 8 trustees from the Toronto Board of Education, Ms. Crewe and Mr. Marks.

TORONTO BOARD OF EDUCATION WARD 8 TRUSTEES

Mr. Marks: Thank you very much for that designation, but I am not yet a trustee. I am an assistant to the trustee.

First, I want to express my appreciation at being able to speak to you this evening. Trustee Nola Crewe will be delivering the main portion of our joint presentation and I want to make only a very brief introductory comment.

A review of some of the Instant Hansard reports indicates that many groups and individuals have been attempting to tell this committee how to write its report. If I may, in humility, I would like to continue that tradition.

My primary concern is really one of form. In my submission, the people of Ontario quite naturally expect to be presented with evidence that the committee has canvassed fully alternatives to existing government policy. My suggestion is that the format of the document should model itself after a cabinet submission with a statement of the issue and then enumeration of distinct alternatives, below each of which would appear a list of the pros and cons raised by the issue, together with a brief policy analysis statement.

Some of us perhaps were surprised when former Premier Davis declined to avail himself of the opportunity to be as explicit as that approach would permit. Rather than engaging the very legitimate and hard questions such an issue generates, Mr. Davis contented himself with amorphous references to tradition and a personal change of mind. This committee might well choose to follow a far more explicit course, entertaining the following alternatives which the Ontario government has the freedom, if it so chooses, to embark upon.

One suggestion is a retention of the status quo. The second might be a rollback of separate school funding to strict constitutional requirements. The third might be a roll forward of separate school funding to grade 13. Fourth, a roll forward of separate school funding to the post-secondary level, because if I understand the

logic of the roll forward to grade 13, I cannot appreciate the distinction in stopping it there. It would seem to be perfectly natural that if Catholics are entitled to a Catholic education, publicly funded, they are entitled to a complete Catholic education.

The fifth alternative would be the creation of a tripartite education system in Ontario, or stream rather, in which two religious streams, Protestant and Roman Catholic, were permitted equal financial attention, and a residual nonreligious stream were funded as well. No doubt other serious alternatives also occur to committee members.

With the greatest deference to this committee, it is never an answer for legislators to say, in effect, "Our terms of reference constrain the dimensions of our inquiry." I note with approval that some attempt has been made by individual members to alter those terms of reference to permit broader inquiry. In any event, there is nothing to prevent this committee from writing as its collective conscience dictates.

So much has been made of the constitutional implications of recent policy proposals that I think sight is lost of the basic opportunity this committee enjoys to begin with a fresh sheet of paper and map out on the basis of legitimate policy goals how education will be structured in Ontario for generations. There is no doubt once that fresh sheet of paper has been sketched out, the committee will have to face constitutional and other realities. Again, if I were writing the report, I would want to begin with the best case scenario and modify it down to fit in with existing realities.

As a candidate for the public school system in the city of Toronto, I can tell the committee I have knocked on over 16,000 doors in the last few months. With few exceptions, the general view of constituents was that both politics and religion should be kept away from the school system. To be fair, there were a few households that expressed the view that since the Protestants had their school system, why could not the Catholics have theirs as well. I was unable to convince them that in the city of Toronto, at least, a fully public-funded Protestant school system was only a figment of history.

In closing, let me say that I have no doubt that whatever the decision of this committee or this Legislature might be, our children have the resilience and the cultural sensitivity to grow well. But the strength of our children is scarcely an adequate apology for the weakness of our policy initiatives.

9 p.m.

Ms. Crewe: We are facing a situation where a decision that is about to be made is going to affect this province for generations to come. The decision that was made at Confederation promised two systems of separate public education, Protestant and Catholic—or French and English if you listen to Quebec—and guaranteed minority rights from provincial incursions. It was struck at a time when there were really only two significant religious groups.

Time has changed the circumstances of our nation and provinces. No longer are we a colonial nation noting the aesthetic niceties of European historical and theological quibblings. We are now a nation of many faiths, strengths and cultures; a unique nation that respects and guarantees the rights of those many faiths and calls them all truly Canadian. We have not had a state church since the 1840s, and I do not believe that 1985 is the year to change that.

In Ontario, we record 34 different creeds. Surely a public system that has representation of all those religions can represent and absorb all our children. In selecting one religion as being different, somehow more fragile or more worthy, we are segregating people. To provide Roman Catholicism with state support, we accept the alternative that all religions are not equal.

If the Catholics are entitled to their system, then surely the deal that was struck at Confederation should be upheld and my faith also should be accorded its system; my children should be entitled to a Protestant education.

When I listened to the students speak about how wonderful it was to have a chapel, a chaplain and prayers in their faith as a part of their daily life, I applauded that. I would love my children to have that as well; so, I am sure, would most parents of most faiths.

The world is already too divided. We have to concentrate on our similarities, our humanness, and not on the things which divide us. We look throughout the world and we see those divisions. We look at South Africa, the Middle East, Cyprus, the Indian subcontinent and Ireland as examples of how not to do it. Ontario leads the way in tolerance and respect for the traditions of others. It seems ironic, when you look at our country, that the deepest divisions we have were politically created; the English and French and the Roman Catholics and Protestants.

Today, the Legislature has the power to open new doors to knowledge and tolerance. You can give all our young people the opportunity to enjoy each other for the four or five years of high

school or you can continue to deny it to them. You can divide us for the short-term political gain or you can unite us for the long-term enrichment of our lives and our country.

Recent American research has demonstrated—and the Ontario experience appears to be similar—that as our populations age, the resources are increasingly and disproportionately diverted from youth to the elderly because the elderly have a vote and youth does not. Yet our buildings continue to age. They require heat and light regardless of the number of students within them. We have the alternative of busing, but that remains very expensive and disruptive.

Declining enrolment also means reduced opportunities, whether in shrinking option lists or fewer teachers available for after-school activities. In my ward, we provide German at Monarch Park Collegiate Institute for 16 students entering grade nine this year. We provide Latin at Riverdale Collegiate Institute for 65 students at the five-year level. Those are not practical courses to offer when we are looking at dollars and cents and a sensible allocation of our resources. Surely, any further decline in the number of students signing up for those programs would mean the programs would be unavailable to students in the east end.

If you take some of the students from our school and put them into the separate school system, it will not mean that in closing Latin at Riverdale, we will be opening it in a Roman Catholic school; it just means it will be closing altogether.

Your proposal ultimately limits lives.

Much has been made of the moral and spiritual benefits derived from a Catholic education and how those benefits have been protected for more than 140 years. What has been ignored in this discussion are the moral and spiritual benefits gained from a Protestant education, and that right is at least as ancient.

Our schools were quite clearly labelled as Protestant until the reforms, brought about mainly by Egerton Ryerson, which converted them to public schools. But the schools that Ryerson anticipated were not nonsectarian. His aim was to establish a system of universal, tax-supported elementary schools based on a Christian morality, and this is how our public schools were run until a few decades ago.

For more than 100 years, the school day in public schools started with the Lord's Prayer and Christian values were an integral part of the education system. In fact, it is still on the books every year. At the board, we pass a motion and a

letter goes off to Queen's Park saying we would like to be exempt from teaching Christian values in the Toronto school system.

All this has been eroded away in both Ontario and Quebec. It is not a question of the majority religious system of schools having to absorb all the students who are not of the faith. In Quebec and Ontario the Roman Catholics have clung to their faith and the needs of the many new faiths of students who have entered our provinces have been met by what has become the public nondenominational system. How can the province justify extending a tax-supported Roman Catholic school system after it has dismantled the Protestant school system?

The legislation that has existed since the time of the British North America Act made it possible for the legislature to set up dissentient school systems. It has chosen not to. It has decided that the needs of minorities must be met by the schools of the Protestants.

We seek to implement the justice that Confederation promised in education. We must seek the education system that was envisaged; in Ontario, it was the Protestant system of the majority, the Roman Catholic system in the minority and the establishment of further dissident systems as numbers warranted.

In ward 8, which I have represented for the last five years, there are thousands of Buddhists and members of the Greek Orthodox Church as well as many other religions. It is very difficult to explain to them that nothing has changed in Ontario in 140 years, that the arrival of many new Canadians from many other lands does not matter to Queen's Park. The present reality of our population must play second fiddle to the province of many years ago.

When the Minister of Education said there would be no public funding for other sects, perhaps he was motivated by a desire not to overly fragment our education system. Or is he saying the pressures that gave Roman Catholics a special deal in Upper Canada must continue forever but cannot be exerted for other faiths?

Sometimes, I feel we have an Alice-in-Wonderland world in this province. We have legislators meeting here to study implementation recommendations as implementation proceeds. Not far away, judges meet at the government's request to determine the legality of funding as the dollars go forth. When asked about the faith of students who, although they are not Roman Catholic, will be forced to attend separate secondary schools as a result of this legislation, the Minister of Education replied that they can

get an exemption from religious education. Yet Catholic educators tell us that the values of their faith permeate the teaching of every class. If a non-Roman Catholic is granted such an exemption from religious education, how will every class that he or she is in lose its religious values? And if they do, how will they be different from classes taken in any public secondary school?

9:10 p.m.

Clearly, this poses a problem for both the minister and the separate school system. One would hope that the minister is prepared to carry through on his guarantee that those who are not of the Roman Catholic faith will not be taught Roman Catholicism in the classrooms they are forced to attend. Fairness would dictate that.

Please do not misinterpret my position. I want all Ontarians to live and grow and learn together. I do not want us to be divided by colour, race, creed or sex; however, if our government decrees that one religion is entitled to funding beyond the grade 8 level, which the deal of Confederation provided, I want it to be available for all 34 of our religions.

Admittedly, that would totally destroy the public education system which I represent and believe in, but that is preferable to the establishment of a state-funded religion, which makes the faith of every other Ontarian of second-rate importance. That is an insult to our multicultural nature that is too great to be borne.

The Vice-Chairman: Thank you very much. Are there questions from the committee?

Ms. Bryden: Ms. Crewe, your position appears to envisage that we would seek a constitutional amendment to disestablish the Roman Catholic system as a separate system but, as you undoubtedly know, those constitutional guarantees were put in to protect our Roman Catholic minority in Ontario and a Protestant minority in Quebec. Do you think either of these groups, who still represent very large minorities, would be ready to give up those guarantees?

Ms. Crewe: I do not anticipate that it is possible to disestablish support to the Roman Catholic school system below grade 8, which is the deal that was struck at Confederation and protected with the new Canadian legislation.

Ms. Bryden: We cannot discuss the court challenge as it is before the courts right now. That is part of the challenge, as to whether or not funding should go beyond grade 8. As long as we do have the Roman Catholic system, do you think it is fair to expect those who choose that side of the dual system to have to truncate their

education, in many cases, and switch to the other system at grade 8 and have no continuum of education from kindergarten to grade 13, as those students have who go into the non-Catholic system? Is that fair?

Ms. Crewe: It is considerably fairer than the choice that is faced by Protestants, Jews, Buddhists, Muslims and all the other people in this province who have no opportunity to have the province fund their children's religious education. They have no opportunity to have their children grow in their faith and in the environment they would like to see their children grow in.

Confederation promised us a Protestant school system for our children, which has been eroded. It had to be, because the Legislature would not countenance the funding for all these other denominations in their own school systems because of the sheer practicality of numbers.

Ms. Bryden: Is that not the problem? On the practicality of numbers, there probably is no other group that could provide the kind of diversified education that is needed now, in particular at the secondary levels, of high technological training and all the different aspects of music, art and culture that are expected and given by the public school system.

Do you think it is fair that the kids who choose the Roman Catholic side of the dual system are not able to have as much in the way of shop work, technical training, music, art and so on, as the other schools; the sorts of things you, as a trustee, have been working for, to make sure the kids in the non-Catholic system have them? Is it fair that the kids in the other system, who are there and will continue to stay there, should not have the same opportunities?

Ms. Crewe: I will just refer you to the reality of the Christian schools, which are totally funded by the parents and have virtually no resources at all. But those parents, having chosen as their priority the provision of a religious environment for their children to grow into, like everyone else, have the opportunity to place their children in the public system.

Traditionally, one has made great sacrifices for one's faith. If I choose to educate my children within my faith, I am talking about \$5,000 a year. Very few Roman Catholic students have to pay a fee of that nature.

Ms. Bryden: When you do not give them equal funding, you are denying a very large number of people, possibly close to 50 per cent in this province, the same quality of education as they get in the non-Catholic system.

Ms. Crewe: But you already have denied the Protestants the opportunity to give their children the kind of education that is offered to the Roman Catholic child. You talk about such things as technical education, and I talk to you about the opportunity to grow in your faith and develop spiritually. In this province, that is denied to every student who is not a Roman Catholic. There are many people, and I am sure the Roman Catholics are among them, who would argue that having the opportunity to be that close to your faith and develop in it is more important than having the opportunity to use a fancy piece of equipment in shop.

Ms. Bryden: The question, I suppose, is how many of them could afford to provide a separate system of the same magnitude that we have in the present dual system.

Ms. Crewe: The question is how much the province is willing to fund religious education and whether it is willing to establish a state-funded church religion or whether it is going to treat all religions as equal.

The Vice-Chairman: I am not sure what the question is, but if you have a question, Ms. Bryden, then we will have the question. If not, we try to stay away from debates.

If there are no questions from committee members, thank you very much for coming forward. You certainly hit at the principle of the bill, and we appreciate the fact that you have expressed your views to the committee.

Ms. Crewe: Thank you very much.

The Vice-Chairman: The final presentation tonight is from three gentlemen: Mr. Talosi, Mr. Talosi and Mr. Weaver. This is brief 784.

Welcome to the committee. I am not sure who the main spokesperson is going to be.

GARY TALOSI, STEVE TALOSI,
TIM WEAVER

Mr. G. Talosi: I will begin.

The Vice-Chairman: Would you introduce your colleagues to us so we will know who they are? I think I can guess who is your brother.

Mr. G. Talosi: That is part-way into the brief.

Mr. Chairman and members of the standing committee on social development, first, let me say that we are three concerned parents and ratepayers who appreciate this opportunity to appear before you and express our personal opinions on Bill 30, An Act to amend the Education Act. It is truly an honour and a pleasure.

We also would like to commend each of you for giving countless hours of your time to sit on this committee and to hear the many individuals and groups of citizens who have come to express their points of view on the extension of public funding for Roman Catholic secondary schools.

My name is Gary Talosi. To my right, I would like to introduce to you Tim Weaver, a friend and co-worker. On my left, I would like you to meet Steve Talosi, my brother. We have decided to combine our efforts into one presentation for two reasons. In general, we share the same views on this important issue. Second, we realize that this is the last presentation today and we felt we could present our views in one 30-minute session instead of consuming 90 minutes of your valuable time.

The Vice-Chairman: That means we might get to see the last few innings of the baseball game.

Mr. G. Talosi: Right. It was nothing to nothing when we walked in.

The Vice-Chairman: It is two to nothing now for Detroit in the fifth.

9:20 p.m.

Mr. G. Talosi: With that in mind, let me proceed.

I am a production planning supervisor at the John Deere Welland Works, where I have been employed for 12 years since majoring in mathematics at the University of Waterloo. I have been married for 11 and a half years to the former Angela Lenk of Welland, and we have three children: Melanie, 10-and-a-half years old; Julie, nine years old; and Jeffrey, seven years old. A few months ago we moved to a new home at 239 Gadsby Avenue in Welland.

My community involvement includes being a junior achievement advisor, a United Way volunteer and a coach in the Welland Minor Baseball Association. I am a certified member of the Canadian Association for Production and Inventory Control and have taught evening courses in production control at Niagara college, our local community college.

Sports would have to rate as my top interest or hobby. I played fastball and then slow pitch until a few years ago. Now I am just an avid fan. I have been to three Blue Jays games this year and hope to be at the last game of the season on Sunday. I am also a Buffalo Sabres season ticket holder.

Those who have not yet seen our brief are probably saying to yourselves, why is he telling us all this about himself? It is getting late; he should be getting to the point. I am just getting to

my first point. Even though I have told you a lot about myself, you still do not know what religion I practice and I believe that to be true of most personal relationships today.

The people in the society I have grown up in do not wear their religion in the way I have heard that people did in the past. Getting to know someone today rarely means knowing their religion. It has little or no impact on your attitude towards or feelings for that other person; yet people suggest that a publicly funded Roman Catholic separate school system would create discord and hinder the principle of tolerance of our fellow human beings. The current separate school system has not caused societal problems, why should adding the last few secondary school grades change that?

Unless I have seen a coworker of mine at the church I attend, I do not know what religion he or she is and, frankly, it does not matter. Incidentally, my wife and I are practising Roman Catholics and our children are in grades 5, 4 and 2 in the Welland county Roman Catholic separate school system.

There also has been a lot of concern expressed over the cost of the proposed legislation. Many people who are opposed to the extension of funding to separate schools have proposed a unified school board model as an alternative. In the past, our separate school board and the coterminous board of education have shared costs to their mutual benefit in the areas of program development, special education programs and facilities, and French-language programs and administration.

These steps all have been successful and yielded benefits to the students, parents, ratepayers and staffs of both systems, but they are only the beginning of a wide range of opportunities for continued co-operation and sharing between two parallel school systems, which I feel will be facilitated by the extension of funding to separate schools.

A unified board system is not a prerequisite to tap other potential areas of cost reduction through co-operation. These areas include the sharing of transportation, administrative practices and procedures, supervisory officers, courier service, equipment and facilities, and the combined purchasing of instructional supplies and equipment. Sharing in these areas can and should be happening currently between coterminous boards.

In closing, I would like to commend all three political parties for supporting the extension of funding to separate schools and may God reward

each of you for your role in correcting this longstanding inequity. Now I would like to turn this over to Tim Weaver.

Mr. Weaver: I have a couple of opening remarks before I get into my portion of the presentation. It is relatively light and short compared to Gary's and Steve's. Not by any stretch of the imagination am I trying to slight the importance of the bill that is before you.

Mr. Sheppard: Are you a Blue Jays fan?

Mr. Weaver: Yes.

Interjection.

Mr. Weaver: Okay, I will hurry.

To begin, I also live in Welland and my wife, Holly, and I have been married for two days short of 11 years. We have three children. Our eldest, Gillian, is five and is currently enrolled in kindergarten in a separate elementary school. I attended a separate elementary school and a public high school. I am a graduate of the University of Western Ontario and the University of Windsor and I am a member of the Society of Management Accountants of Ontario. I am presently employed with John Deere, Welland Works.

In business, we come across a variety of principles or philosophies that propose, for example, to enhance productivity or efficiency. One such principle that I like in particular I can usually apply to a variety of situations both inside and outside my work. That is, to keep it simple. The proposed amendment to the Education Act to bring full funding to Roman Catholic secondary school program should be just that.

This is not the time to be challenging the very existence of the Roman Catholic school system. The British North America Act of 1867 guaranteed separate schools for Canadians. I am not about to get into a discussion of the constitutionality of that statement. I think Steve will take care of that in the next part of the presentation.

Many people have failed to realize the impact of the two words, full funding. What we are talking about are just two more grades, the final one seventh. We should be emphasizing the extension of funding or completion of funding to a denominational system that has been in existence for many years. Again, it appears to me to be a relatively simple—there is that word again—progression, the extension of funding. At the same time, though, it does have some rather serious, far-reaching effects on young people.

Some students with Roman Catholic elementary education cannot attend Catholic secondary schools because of tuition costs beyond grade 10.

I was one of those students. Mind you, I am not saying that the public school system is not capable of providing the education necessary for our young people. I have some fond memories of some fine teachers and the strong basis my secondary school education provided for me in university, in particular, the core subjects of English and mathematics. Also, my wife attended the very same high school.

What should be a natural progression into secondary school becomes clouded when the question of how much extra money it will cost must be considered first.

Finally, at stake here is the education of our young people and justice in dealing with the careers of the teachers, employees and those who administer both systems of education in our province. I believe the amendment to the Education Act to be fair to and appropriate for everyone it affects.

I wish you good luck with your recommendations and remember, keep it simple. I will ask Steve Talosi to proceed with the balance of our presentation.

Mr. S. Talosi: Contrary to what Tim implied, I do not intend to rewrite the history books on separate school education in Ontario and in Canada because I am sure you are very knowledgeable in this area. However, I do intend to share a bit of my background with you and then leave you with some feelings I have towards this whole issue.

I was born and raised in the city of Welland. I attended school in the public school system until grade five, at which point I moved into the separate school system where I completed both my elementary and secondary schooling.

I am a graduate of the University of Waterloo with a degree in math and computer science and have been employed for the past seven years by the credit division of one of Canada's major retailers, Canadian Tire. I am married and we have three children, ages four, five and eight. Incidentally, all three are now enrolled in the separate school system in junior kindergarten, senior kindergarten and grade three.

My wife also was born and raised in the city of Welland. She attended school in the separate school system for her elementary years and then received her secondary school education in the public school system. She is a registered nurse employed by the Victorian Order of Nurses. So you can see that I have a vested interest in this whole issue of extending public school funding for Roman Catholic secondary school programs.

I want all of my children and their children, and so on, to enjoy the same benefits of a separate school education that I enjoyed without the fear of exclusion because of an additional financial burden. That is enough about me; now on to my feelings about this whole issue.

9:30 p.m.

June 12, 1984, marked the day of personal celebration for me. On that day our former Premier, Mr. Bill Davis, announced his decision to extend public funding for Roman Catholic secondary school programs. From my point of view, this day marked the resolution of an important issue in which I was personally very involved 13 years earlier. It makes me chuckle every time I hear someone say, "But why now? Why is this an issue now?" Ladies and gentlemen, I am sure you are well aware that the extension of public funding for Roman Catholic secondary school programs is not just a recent issue. It has been an issue for several years.

Back in 1970 and 1971, I was a grade 12 student at Notre Dame College School in Welland and president of the student council. With this responsibility came my involvement in the Ontario Catholic Students' Federation, an organization of separate school students from all over Ontario who joined together as a unified front in support of extended funding. As a federation, we held weekend rallies and seminars in an effort to organize ourselves and formulate our position with the hope of convincing our government and the people of Ontario that extension of full funding should occur.

The highlight of my involvement in the student federation came in 1971 when Bill Davis made a visit to Niagara college in Welland. I was involved in organizing a rally of students from the local Catholic high schools to greet him at the college. Then I and a couple of other students had the pleasure of a private audience with Bill in his limousine while he was en route to his next stopover in Chippawa, Ontario.

What I can remember as the basis of my position then in support of full funding still holds true for me today. We are not asking for a handout or a gift. We are only asking to receive what is rightfully ours, a fair and equitable return of our tax dollars into a system that is well established and has proven itself as the provider of high quality education in Ontario, the separate school system.

While we were not successful in convincing Bill Davis to act in support of our position 13 years ago, I would like to think that it is one of the

influencing factors which led him to his decision in June last year.

Ladies and gentlemen, as you can see, this was a very important issue to me 13 years ago, as a student in the separate school system who believed—and still believes—in the principles upon which our system was founded. Today, as a taxpayer in Ontario and the father of three children whom I want to be able to enjoy the benefits from the same quality of Christian education that I received, this is even more of a burning issue with me.

I firmly believe that it is only fair and right that my hard-earned tax dollars, which I request be directed into the separate school system, be directed 100 per cent into that system and only that system. In addition, we are not asking for the creation of funding into a new system, but rather extension of already existing funding into a well-established and proven school system.

In closing, I think you have already concluded from what we have said that we are in full support of Bill 30. Once again we wish to thank you for working on behalf of the citizens of Ontario in dealing with the issues related to this amendment. We pray that God will give you the strength and wisdom to take all of the information you have been hearing from the citizens of Ontario regarding this issue and act, in the best interests of everyone involved in our educational systems, to see this proposed amendment, and any alterations that you feel are necessary, through to a smooth and successful implementation.

The Vice-Chairman: Thank you very much. Are there questions from the committee?

Mr. Offer: My first question would be specifically to Gary Talosi, as being the one with the Blue Jays tickets on Sunday. If you would like to discuss this particular submission, I think we might be able to help you on that.

Mr. G. Talosi: Certainly.

Mr. Offer: Having said that, it is more of a general question and one of the most serious that can arise. It is on the concern some people have that the extension of this funding can result in a divisiveness throughout the community. You who have attended separate schools have some experience as students and as adults, and I understand none of your children are yet old enough to attend; however, I would like to get a sense from you as to how you view this province in 1985 and whether this implementation will be a divisive force.

Mr. G. Talosi: It is safe to say Ontario in 1985 is different from that of 1965, 1945, 1925

and so on. I have heard stories from people who are older than I but younger than my father, for instance, about students from secondary schools—one attending a public high school and one attending a separate high school—who used to meet on the way home from school and do battle. The fact that kind of thing no longer occurs is a statement about the progress of society here. It is unfortunate that other parts of the world have not reached that level of tolerance. As I tried to indicate with the example of my co-workers, religion is not an issue. One deals with people as to who they are, what they stand for, their values, abilities, strengths and weaknesses.

Mr. Weaver is a prime example. He has lived in Welland now for about three years. Before that, he lived in Port Colborne and I worked with him for three or four years before he moved to Welland. I had no idea of his religion until he moved to a home down the street from me and I saw him in church. It had not affected my relationship with him beforehand and it has not really affected it since. We are co-workers and I do not believe religion to be a divisive issue in our society today.

Mr. Offer: Maybe one of the other two gentlemen would like to comment.

Mr. S. Talosi: Maybe I could add one comment. I have been out of the secondary school system since 1972, but from what I can remember of so-called divisiveness that existed then, there was no more divisiveness—and I would not even refer to it as divisiveness; it was rather an identity that attached to a certain school, but let us call it divisiveness—between members of our students in Notre Dame Senior college school as opposed to the public school systems in the area than there was between Notre Dame and Dennis Morris high school in St. Catharines, only 15 miles away, where we competed in sports activities. The feeling of identifying with your school was no more apparent between the Catholic and public schools than it was between Catholic schools. I concur with the comments Gary made. If it was like that 13 years ago and it has only become better since, I cannot see that matter being a concern.

9:40 p.m.

Mr. Weaver: I would like to make a couple of comments, if I may. I guess there is just the fact that I married a girl from that system. I cannot speak for every community in Ontario but I remember that when I attended Port Colborne high school and we had a football game against Notre Dame, there was never any problem based

on religion. We never liked the people from Notre Dame because they always won. That is the one thing we did not like about them. We used to burn effigies and everything, but we did not burn any crucifixes or anything like that. It was just man to man, so I really do not see that as a problem.

As a student, I did not experience any divisiveness. I had plenty of friends where I lived, a lot of Protestant friends. We never talked like that. On some Sundays I would go to church and they might not, but we still met after lunch.

I grant you that parents are from the old school and there is still a lot of animosity. I will grant you that because I know of several examples. I am a bit concerned about that.

Mr. Chairman, you made a comment to the students earlier saying that if we could get the students in here and see what is going on, everything could be settled with them and would be fine. Often, we get some adults who may have some preconceived ideas or something. As far as I am concerned, that seems to hurt their judgement or objectivity.

Mr. Pierce: Along that line, you stated that you met your wife in the secondary school system and then, of course, married. Was there a question at that time about whether your wife was Catholic or Protestant and that you may have selected her because she was Catholic or Protestant? Do you see a falling away from intermarriages between Protestants and Catholics through the separation of the secondary school system?

As much as we all agree that we have great tolerance in this great land of ours—Canada, can you see things now going in that direction, because of that separation by religion?

Mr. Weaver: The first thing that attracted me to my wife was her smile.

Mr. Pierce: We are all suckers for that.

Mr. Weaver: She had nice teeth, I remember that; she still has nice teeth.

Mr. Pierce: I do not want to know any more about your wife. With all respect to you.

Interjections.

Mr. Weaver: The question of religion really never came up until we started talking about marriage and then it got pretty wild, I will admit that, because she was Protestant. My side of the family was, obviously, insisting on a Catholic marriage and hers as obviously were insisting on a Protestant marriage.

We worked it out. We married in her church. I received dispensation from the Roman Catholic

church to marry in her church and things have worked out fine. I really do not see any problems with it right now.

We are pursuing a single approach to religion because of the family. We like the family as a unit to attend church together, so we are pursuing that right now.

As far as this widening the gap is concerned, if we go to full funding, I do not see it. Recently, I have become involved with marriage counseling, in what is known as the pre-Cana program. There are a dozen or so couples and I was asked to make a presentation on the financial aspects of a marriage. Also, when I was introduced it was mentioned that I have a mixed marriage and there are several couples in the group in the same circumstances.

I do not really see it causing a widening of the gap. As you mentioned, we are more readily accepting intermarriage, etc.

The Vice-Chairman: Are there any other questions by the committee? If not, I want to thank you very much for your presentation and I will see you at the baseball game on Sunday.

Mr. Sheppard: What is the score?

The Vice-Chairman: Seventh inning, still two to nothing. I am only in the grandstand, these guys probably have reserved seats.

The committee will be meeting tomorrow morning at nine o'clock; not at the usual 10 o'clock, but nine.

The committee adjourned at 9:42 p.m.

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Pierce, F. J. (Rainy River PC)
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Sheppard, H. N. (Northumberland PC)

From Lincoln County Catholic High Schools:

Fitzpatrick, K., Student
Gregory, D., Student

From the Ontario Vocational Education Association:

Carr, G., Vice-President
Penman, D.
Robinson, A.

From the Toronto Board of Education:

Crewe, N., Trustee, Ward 8, City of Toronto
Marks, R., Assistant to Ms. Crewe, Ward 8, City of Toronto
Deans, M., Private Citizen
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No. S-64

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Friday, October 4, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Friday, October 4, 1985

The committee met at 9:07 a.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: We have our first workers' compensation case before the committee. The clerk has just been attacked by a member's briefcase.

This being our last day of sitting for the summer recess before we go back to the Legislature and since members have a week off, I wanted at the beginning, if I might have the indulgence of the deputants, to say a few things about the process over the summer.

First, this has been a very unusual committee, both in the time it has spent sitting continuously and in the hours it has put in during each week. Although all members are not here at present—some are suffering from premature burnout, I presume—I want to say I am very pleased with the way the committee has conducted itself over the summer. The extra work that members put in has no doubt hurt their capacity to serve their constituents locally as well as they might like to. I hope their constituents will be understanding of the extra load the members have taken on.

In addition, we have demanded an incredible amount of our staff this summer, which was also well above the normal demands. Lynn Mellor and her staff have worked incredible hours for us, have changed our travel arrangements time after time and gone through all sorts of contortions to make sure people coming before this committee feel welcome.

It has not been an easy thing to do because of the high demand of people to come before us. They will have made 790 presentations by the time we finish this morning's session. In spite of that demand and that backlog, we have not had an awful lot of acrimony over the way we have had to handle the people. I think the staff needs to be complimented on that and really needs a good break this week.

The same thing goes for Hansard. We have always been articulate and clear in what we have said, but from time to time there have been exclamations, as I pass by those offices on the way to my office, by those trying to sort out what

we were saying in committee. I think they have done a stalwart job.

Rogers TV has covered this committee as no other committee has been handled. When they said at the beginning they would cover us gavel to gavel, I do not think they realized what they were getting in for.

What it has provided has been very important, and that is a really public view of what takes place in what has been a very private process in the past. The committee process has very much been one of lobby groups that specialize in coming before us or of particular interest groups at a particular time coming in here, but the general public has not had a sense of what takes up the majority of a legislator's time during the House sitting or in these special hearings.

9:10 a.m.

For that purpose, I think it has been very useful. Last night, as I sat there, it also helped get me to sleep early, which I found a little helpful. I think it has been a great precedent.

The work of the members over the summer has really been an exemplary production. Unfortunately, we are going to have to continue it with extra work during the session as well, but I know we are all up to it. Without further ado, I would like to get started on our work this morning.

Mr. Offer: Mr. Chairman, it would be remiss on our part not to compliment you as the chairman these past many months and to indicate to you that all members here, I believe, appreciate the way in which you have conducted these matters and injected at times a certain levity when needed but always kept in mind the sensitive nature of the issues. You were professional in giving real meaning to the concerns of the deputants before us. That has been a real example of the best this process has to offer. On behalf of other members of this committee, we compliment you on the way you have handled this matter.

Mr. Chairman: Thank you. That is enough mutual admiration. Let us get back to work here this morning. We have the Ontario Association of Education Administrative Officials before us. Mr. Campbell and Mr. Boich have been here before and, in part at least, know how we operate. Mr. Campbell, if you would like to lead

us through the brief, then we will open it up for questions immediately following.

ONTARIO ASSOCIATION OF EDUCATION ADMINISTRATIVE OFFICIALS

Mr. Campbell: Thank you. I am Bob Campbell, president of the association. With me is John Boich, our executive director. I would like to introduce three other people before we start. Arn Krever is the president-elect of our association. Al Lozon, in the grey suit, is a member of the committee that helped us put our presentation together, and Dr. Edward Hickcox has worked closely with us throughout the process.

Before we begin our remarks, I would also like to comment that we appreciate the committee is getting close to 790 submissions. We will not plough all the ground you have heard in the previous 780 and some. We hope we will have a few fresh spots or a few points of emphasis that might be a little different from what you have heard numerous times before.

The Ontario Association of Education Administrative Officials, whose members are the supervisory officers of the school boards of this province, appreciate the opportunity to appear before the standing committee on social development. It is our intent to describe briefly our organization, what it stands for, note areas of concern relative to proposed legislation and highlight a few important specific recommendations. We are prepared to discuss in detail any aspect of the legislation with the committee. We are also cognizant of the degree to which this legislation and the issues surrounding it have received public airing in the recent months.

We have no wish to dwell at length on issues, the dimensions of which are already well known to us all. At the same time, we believe we represent a point of view which should be of value to the committee as it considers modifications to the proposed legislation.

First, a word about our organization and what it stands for. In one sense, our organization represents in microcosm all of the divergent viewpoints, all the values and beliefs, all the tensions which have been expressed to this committee and in other forums since the announcement of June 12, 1984.

Within our membership are educational leaders from public boards, separate boards, boards with large francophone populations, small boards and large boards, rich and poor. What should be of value to outside observers is that we have been able to formulate reasonable positions

on most issues, not without struggle and pain and not without the threat of internal disruption.

Thus far our professional orientation and our commitment to the improvement of education for our children are as strong as, or stronger than ever. We will not pretend that consensus has been reached on solutions to all our problems as perceived by our members. We do know, however, that there are a great many common areas of agreement and a growing awareness of what issues will require firm and positive assistance at the government level.

A second point about our membership should be important for your consideration. In the end, it is the members of our organization who are most responsible for the implementation of the legislation pertaining to education. Other groups play extremely important roles in the scheme of things, but it is our members who live day after day with the educational and organizational consequences of actions promulgated by policymakers.

The Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario, in this sense, does not implement. It only plans and assists in resolving disputes. The teachers are affected by the proposed changes, but once the legislation is in place, it is the administrators who will bear the brunt of the day-to-day problems.

The delicate, even fragile, relationships that must be maintained to make the initiative work remain with the supervisory officers long after the policymakers have moved to new efforts. Our approach, therefore, is nonpolitical. It is also relatively free of self-interest, other than the interests of students, since our membership either represents or is the recipient of pressure from the entire spectrum of special-interest groups involved with the funding extension.

Instead, our approach here is to consider the administrative and organizational consequences of the new legislation and to ask policymakers to consider ways in which we can both accommodate the changes and maintain the quality of educational programs for all children in the province.

In this spirit, we have in the past months developed position papers for the three commissions appointed after the June 12 announcement. I believe you have received copies of our position papers to those three commissions and also a paper we drafted for the use of the planning and implementation commission on the dissemination of information to students. Perhaps we can comment on that later. However, from our briefs

to those three commissions, we would extract some general principles relative to the extension of funding, which our association supports.

1. Co-operation among the various parties should be encouraged in concrete ways. It will not happen by chance.

2. Mechanisms for the resolution of conflicts are needed, but as little emphasis as possible should be placed on provincial mechanisms. Everything that can be dealt with at the local level should be dealt with there.

3. Access for Roman Catholic students and public school students to quality education must be safeguarded.

4. Sufficient funding must be made available to permit the delivery of appropriate and high-quality secondary programs for all students.

5. Roman Catholic school boards should be encouraged to reorganize along municipal or county lines, rather than on the basis of separate school zones.

6. School boards should retain their independent right to levy property taxes.

7. Present methods of resolving inequities in assessments, both within and between municipalities, should be pursued with vigour. This may be even more important in the future than it has been in the past.

8. The present use of a flat mill rate as the basis for determining a board's contribution for grant purposes should be reviewed. Other alternatives, such as progressive scales of rates, might be preferable.

9. The future need for both plant and equipment for the next 10 years should be projected in order to ensure fairness over the long run for the transfer of facilities.

10. Grant ceilings should be set at an adequate and realistic level and no new provincially mandated programs should be introduced without thorough costing and sufficient long-term funding.

11. While parents have the right to refuse public education, whether in public or Roman Catholic school systems, these rights, in our view, do not include the financing of private schools.

We have some general observations about the legislation. Despite concerns about Bill 30, we believe that with modifications it can be made to work, assuming that the fundamental decision to extend funding remains in place.

We appreciate the positive response of the government to suggestions to refer constitutional issues to the courts. My comment on that point is that our association did urge the former Premier

(Mr. Miller) to take that step. Our concern essentially was that we felt that issue had to be resolved before we proceeded on the details of the legislation.

We have examined with some care the general principles articulated by the Minister of Education (Mr. Conway) in his statement to the Legislature on July 4, 1985. In brief, the six principles articulated were: (1) to protect the viability of the public system; (2) to clarify the constitutional issues; (3) to ensure the primacy of student needs; (4) to ensure that no unemployment would result because of extension; (5) to maintain the distinctive mission of the Roman Catholic school system, and (6) to ensure an orderly cost transition.

In and of themselves, each of these principles is commendable. In considering the administrative implications of putting these six principles into operation over the long run, however, we see at least two fundamental dilemmas.

One is that the notion of saving harmless any employee from unemployment is somewhat at odds with the notion of maintaining the uniqueness of the Roman Catholic system. We know there will be administrators, teachers and support personnel made redundant by the transfer of students from the public system to the Roman Catholic.

If non-Catholic personnel must be hired by Roman Catholic school boards in any numbers and without certain commitments, then how can the uniqueness of the system be maintained? The dilemma is particularly difficult relative to supervisory officers and school principals. It is difficult for us to imagine a Roman Catholic system agreeing to the employment of a non-Catholic superintendent. How then can such individuals, few in number though they may be, receive protection from the interruption of their careers through circumstances entirely outside their control?

9:20 a.m.

A second, and perhaps less obvious, dilemma is the difficulty of protecting the viability of the public system and, at the same time, providing full programs in both systems for all students. We see ways to resolve these dilemmas over time, but the first step is to recognize them, and that is one important intent of our discussion today. In other aspects, however, we believe the minister's six principles are sound, and our analysis of Bill 30 is made with those principles in mind.

Before turning to a specific analysis of the bill, we wish to make some general observations.

Recognizing the need to protect the viability of the public secondary system, we question whether there is sufficient emphasis in the bill to provide such protection. As an example, there are approximately 180 communities in Ontario at the present time with only one secondary school. The bill does not address in any specific way how the public system will be protected if such high schools are transferred to the Roman Catholic system or if two very small high schools are subsequently created.

While we fully support the notion articulated by the minister that the interests of students are foremost, we do not see enough guarantees or enough specifics in the bill to assure us in any administrative sense that those interests will be protected. For example, there is little mention of the thorny problems surrounding program offerings. Will Roman Catholic secondary schools be required to offer a comprehensive program? Will they have sufficient funding to do it? How will public secondary schools be able to maintain full programs in smaller jurisdictions?

While issues dealing with staffing are reasonably well covered in the bill, issues related to funding are not. We recognize the inherent difficulty in this area, pending some recommendations from the commission responsible for long-range funding, but as administrators responsible for actually operating the schools, we would like to see some specific support for the minister's final point, calling for an orderly financial transition.

As an example, the issue of ceilings needs to be dealt with almost immediately. As administrators, we are acutely conscious of some rather drastic consequences for both public and Roman Catholic boards unless adequate and realistic ceilings are provided.

As soon as the Commission on the Financing of Elementary and Secondary Education in Ontario tables its report, it is imperative that there should be open discussion and consultation with the affected parties. Members of our association are among those most likely to feel the effect of the funding initiative as it impacts on the day-to-day operation of school boards, both public and Roman Catholic.

In a general sense, we see some difficulties with the role outlined for the planning and implementation commission. We favour local control wherever possible. Bill 30 appears to provide sweeping powers to the commission. What is lacking in the bill in this regard is provision for local mechanisms for dealing with problems that might arise.

There are a wide variety of strategies, such as management committees of coterminous boards. What we seek in the bill is some sort of balance between the provincial powers vested in the commission and the possibility of local mechanisms reflecting in precise ways the local situation. For example, establishing mediation responsibilities for the commission, while reserving arbitration powers where necessary to the province, would help to create a positive climate at the provincial level.

Finally, we observe that our general administrative concerns with the implementation of Bill 30 are not new. In perhaps the single most influential report ever supported by the Ontario government, that is, *Living and Learning*, better known as the Hall-Dennis report published in 1968, there is an interesting section about Roman Catholic schools, and there are recommendations which have never been implemented.

Hall-Dennis recommended: (1) that in forming larger units of administration for Roman Catholic separate school boards, there should be coterminous boundaries established with county and district boards; (2) while all efforts should be made to enable Roman Catholic separate school supporters to preserve what is considered essential to their system, arrangements should be made to promote co-operation and sharing of services, avoiding duplication in many areas and services; and (3) school boards should develop patterns of co-operation between Roman Catholic school boards and boards of education in the areas of transportation, school sites, computer services, in-service education, special education and joint projects. That was in 1968.

Adoption of these recommendations in 1969, when the county boards were formed, might have avoided some of the difficulties we now face in the implementation of the extension of funding. Many school boards have moved in recent months in the direction implied in those old statements. We hope Bill 30 will continue the movement. Specific neutral strategies are essential, however.

As an example, our association has developed a short paper, to which I referred earlier, which outlines various strategies available to school boards for providing access to information about programs to students intending to enrol in either the public or Roman Catholic school system. We need more of these kinds of initiatives, and we need mechanisms for acquainting educators and parents with ways of meeting certain problems connected with the extension of funding.

Mr. Boich: We turn now to some specific reactions to particular sections of Bill 30. While we shall discuss some wording matters and some relatively minor concerns, most of the points made are considered by our membership to be major ones.

I refer to section 136d. We have a concern here and in other clauses with the implications of requiring payment of fees calculated in accordance with regulations. What we would like to see here, and in other similar clauses, is a requirement that for a 10-year period at least agreements for one board to provide services for another board should involve covering full costs. Fees calculated according to the regulations will not provide sufficient funds to cover actual costs. At the least, we need a definition of what is meant by "fee."

Section 136h: There is a potential in this clause for an unfair distribution of funds in relation to French-language students. With the withdrawal of Bill 28 and the possibility there may not be as many block grant transfers from public to separate schools of French-language secondary schools, we should be conscious of the danger of fragmentation. Currently, French-language schools are subsidized so that quality programs can be maintained. Such subsidies would need to be maintained and this clause does not seem to imply that kind of support.

Section 136l: The detailed clause dealing with the notion of designated lists and staffing exchange procedures touches on some complex problems. We are conscious that attrition will take care of most problems. We also are aware that it will not take care of all problems and that those remaining are problems of human beings whose personal and professional lives may be on the line. Following are some important aspects of this clause, which we believe need serious attention.

We urge that boards be required to provide the number of individuals on a designated list rather than the actual names of individuals designated. This would permit the maximum use of voluntary transfers, in that it would allow individuals who transfer willingly the same protection as those who are involuntarily transferred. Further, it would allow some flexibility to both the transferring and receiving boards relative to protection of existing programs. Such a system, also, would encourage co-operation between public and Roman Catholic boards, so that the number of involuntary transfers would be kept to the minimum. The fewer involuntary transfers the better.

Most of the discussions about staffing problems related to the extension of funding concern secondary school personnel, teachers and support staff. Our members are aware, however, of potentially serious dislocation problems for staff in the elementary panel. We believe Bill 30 should be modified to provide specific protection for staff in both elementary and secondary panels.

As a general policy, also, in regard to personnel transfers, we think more thought needs to be given to the financial implications for boards. For example, unfairness could result if a teacher is transferred from a board without a retirement gratuity provision to one where there is such provision. In general, the obligations of a board should travel with the individual being transferred, but this is really too facile a generalization to work in all cases. Much more thought needs to be given to the financial implications of personnel matters.

Section 136o: There is confusion in this section relative to the access of students to schools. The language indicates that a student may be accepted into a school provided accommodation is available. In actual fact, the problem is often not space in the sense of a desk in the building, but space in a particular program. The bill should be specific about the accommodation situation so that chances of abuse will be minimized. The same sorts of reasons given for exemption from religious education for public students in Roman Catholic schools should be applied to the problem of accommodation.

Section 136r: This section deals with the planning and implementation commission. As previously indicated, we have a general concern that a balance be maintained between central power and local power, with the balance in favour of local power, wherever possible. We hope this section can be looked at in terms of this general principle.

9:30 a.m.

Subsection 136s(5): We take exception to the charge to the commission that it should prepare and issue guidelines and at the same time act in judgement of boards attempting to follow the guidelines. Too much ambiguity is possible in such a situation. The planning and implementation commission should operate under regulations promulgated by the government and, thus, be subject to public scrutiny. Other agencies, such as the Education Relations Commission, operate under regulations and we see no reason why this important new agency should not be subject to the same kinds of checks and balances.

This is not to suggest any specific instance of concern. We are after the kind of legislation that will engender the strongest possible support from our members.

We believe that support from our membership is essential for the legislation to work. Trust in the planning and implementation commission from all administrators will go a long way towards ensuring the effective discharge of the commission's responsibilities.

Mr. Campbell: In summary, our association favours: increased emphasis on co-operation at the local level; fair treatment of all categories of personnel; sufficient funding to maintain quality for all during the transition; full access to information about educational opportunities for all students; and structuring the planning and implementation commission in such a way that it is under government regulations and subject to public scrutiny.

We repeat our basic position, articulated here and in other forms, that the majority of our members, no matter what their individual beliefs and preferences might be about the advisability of the funding initiatives, are prepared to expend all efforts to make it work. Our main concern relative to this legislation, and all that will accompany it over the next few years, is that the students and staff in public and Roman Catholic boards are assured of quality educational opportunities and quality working conditions. The energy and commitment needed to improve the delivery of educational services to students should in no way be stifled or set aside by controversy. Rather, the legislation and the effort of the government should be to promote that energy and commitment.

That concludes our formal remarks. We will be happy to respond to any questions the members of the committee may have about our comments this morning, or perhaps we could assist in responding to other issues that may have arisen in the previous 790 submissions to you.

Mr. Chairman: Thank you, Mr. Campbell. Perhaps we can start off with item 1 on the first group that came before us and move on. Actually, there is enough meat in what you have presented today to provide us with a lot of questioning material without looking at the others.

If what you have provided us with today, both with respect to the statement and the backup documents—and some guidelines and suggestions for co-operation—is what comes out of having two groups with divergent views putting their heads together to come up with some

solutions, it is a very positive and creative outcome. Your comments are very helpful for the committee, especially some of the suggestions you had in very practical terms in your strategies and guidelines' document for ways of sharing information, computers and those kinds of things. It was very interesting.

Committee members will, no doubt have questions; Ms. Bryden is first.

Ms. Bryden: I congratulate the Ontario Association of Education Administration Officials for coming before us. There is nothing like an approach from people who have hands-on knowledge of how the thing works and has been working and who also can see the ambiguities in the legislation and the need for clarifications. This has been one of the most valuable briefs that has come before us.

You are stressing co-operation between the boards in the various jurisdictions. That also is a step in implementing the legislation which is designed to develop co-operative arrangements between the two jurisdictions in consultation. When boards follow your suggestions and get together to develop information systems to deal with the needs of grade 8 students to know about the secondary system, do you think that also could lead to consideration of sharing programs or other activities between the two jurisdictions?

Mr. Campbell: Very definitely; it not only could but should. Perhaps I should comment, relating back to the planning and implementation commission. As we indicated in our brief, we see a very critical role for the commission in assisting boards in that co-operative type of discussion. We are suggesting that it should play a very strong mediation role in those kinds of situations. We think the commission has done a good job to date in that respect. Our comments separate the mediation and the co-operation from the judicial responsibilities.

Ms. Bryden: The commission has a large role to play and it can set the terms and the approvals of an implementation program; but that would not necessarily apply to the public schools which do not have to get approval for an implementation program. Do you think it should be done by putting it as terms for the separate schools in the approvals, or should it be by regulations, that could apply to both public and separate schools, regarding the provision of access information to grade 8 students? Should it be done by general regulations, for example, under the Education Act or just by the government or the implementation commission issuing guidelines for co-operation?

Mr. Boich: The planning and implementation commission is critical. As it moves across the province, it will begin to realize where regulations must be promulgated because goodwill is not operating at the moment. Where goodwill is operating, there is no need for regulations. And the commission must be sensitive. We have a history of the two systems side by side; they have talked to each other, but not seriously.

It is very difficult to become friendly and co-operative overnight. This will take a lot of time but that commission must be very sensitive. Once it gets the image that it is going to do it anyway, regardless of whether one follows what it says or not, you are not going to get co-operation. They must report back to the legislators and say, in this case to the minister: "Listen, we need a regulation for a period. Both parties just cannot come to that point yet." You do not start with regulations or general guidelines; you just work your way through. It is like muddling through; but we are in difficult times. It is going to take us 10 years, and if we are patient, as this committee has been, we will make it.

Ms. Bryden: This is very encouraging. The joint meetings you have suggested of officials at various levels probably will have an effect on building that confidence in each other and willingness to work together.

Mr. Chairman: Let us be clear on your recommendation about regulations and the commission. Are you suggesting that its authority has to be established both in the act and in the specific regulation, and not that the guidelines it should develop for the designation, etc., should be in regulation, or are you suggesting both?

Mr. Boich: Regulations only where necessary as a fundamental principle, and the commission must be sensitive as it works through the province. Do not hamper PIC by making it judge and jury; it will not work.

Mr. Chairman: I understand that part, in terms of the separation between mediation and arbitration, and we are already moving in the direction of having a role for the Education Relations Commission in that area. The mandate of the PIC will be established primarily through sections of the legislation and with concomitant regulations.

However, on the question about the particularities of what they are going to mediate, in this case specifically the question of designation and how you get around some of the determinations that will be made, we have had suggestions from two sides now. One is that it should be guidelines and the unions have been saying that they should

be involved in the process of negotiating them, and the other is from people who have said, "Let us get those things down in regulations now so they will force co-operation and consistency across the province."

Mr. Boich: You have to go to the question of designation and the designated list because of the collective agreements that are operating and the contradictory legislation that is taking you a long time to go through. Somebody in the legislation branch has to think through it because you are going to have a whole pile of grievances. Somebody has to get a regulation that will interface with all those sections in acts and regulations. It is that serious. Nothing gets people's attention more than their professional and personal livelihood and you cannot let that go to chance.

9:40 a.m.

On regulating the dissemination of information to students, guidelines may be sufficient. However, if you have people not letting students get into school systems on a broad front, I would hope the commission would come to the minister and say, "We had better have a regulation for a few years just to get people's attention." On certain regulations where contradictory legislation may be possible, that is, legislation now in force, I would hope the legislation branch would bring it to the attention of the minister.

Mr. Chairman: We will find out, but at the moment, a lot of that is being developed in guidelines by the planning and implementation commission. We will get a chance to see them in another couple of weeks' time.

Mr. Davis: With respect to the sharing process, do you think that in order to augment that it would be wise for us to include some kind of incentive grants to encourage boards? It is not just the directors. Some people forget a group out there called trustees who have their own thought processes. They go their own way no matter what directors tell them. The directors could have all the co-operation they want, but if that co-operation is not among the trustees, they can kiss that sharing of facilities goodbye. Do you think incentive grants would be a mechanism by which we could encourage boards to sit down and talk?

Mr. Boich: I will give you an example on transportation. A year ago, we did a major study across the province on the distances of pupils from schools because, in my humble opinion, we are spending far more money from grants on transportation, which was at a 90 per cent level, than we should be. The interesting scenario

would be for the ministry to look at each school system running its own bus system, then see what would happen if they were integrated. The cost would be much less, let us not kid ourselves about that, and in some instances it is happening.

The boards could be given an incentive in which that additional money, which would have gone into two systems, could be used for other purposes. It would not necessarily take away all the money but you could say, "Look, instead of spending it there, why do you not spend it on students and classrooms?" There are many techniques that could be used to do that. I would bore you.

Mr. Davis: No, I appreciate that.

I have two quick questions. One is just some guidance from the gentlemen. I am trying not to make the piece of legislation so tight there is no room to be flexible.

Would it be possible to have somewhere a mechanism in it, an addendum or something, which would say, "These are areas where boards are encouraged to begin to look at co-operation." The Hall-Dennis report gives some examples. There have been all kinds of examples before us. But at least they would have some areas to begin to look at. Do you think that would be helpful without being mandatory?

Mr. Campbell: Probably it would be because in some of those areas you are very likely thinking of there is good co-operation in sharing, in some parts of the province, but in other areas you have two systems going in totally separate ways.

We should do anything we can to encourage boards not to duplicate unnecessarily; for example, in continuing education programs, does the uniqueness of the Catholic system apply to 65-year-olds who are coming back to night school? That is an arguable point and I have heard arguments on both sides. The committee might want to consider that and I am sure you are aware of it.

Mr. Davis: Yes.

My final question is: When you were talking about access, are you suggesting that access should be formulated in such a way that it is tied into program or into what I would call "building space"? Because if you tie it into program, that becomes much more limited in the freedom of students to move into the systems.

Mr. Boich: We are trying to say that it is not just space. Space is easy. You give somebody some more money or you put up a portable and then you put kids in it. That is it.

But you are trying to run a school system on a collective agreement which says that you have to have X students in each classroom. If a student comes in, it costs you one more teacher. That is very hard to do and that is the problem regarding access of students.

Often, it has nothing to do with, "We do not want you in our school system." It is just that, "You are going to cost us a lot of money, which we cannot recover because we have to set up another loading factor." Right now, timetabling is complicated. I am not sure how you are going to deal with that because physical accommodation is easy; you just add. It is only money. I am serious. It is only money and you are going to take away the portable, or whatever it is, and put it somewhere else.

Mr. Davis: If you are a director of a secondary public educational system and a student arrives at your door and wants to go to computers, if you have 31 computer stations and he is the 32nd student, what do you do with him?

Mr. Boich: Currently, in a public secondary school?

Mr. Davis: Yes.

Mr. Boich: He would have to wait his turn in the next semester.

Mr. Davis: Right. What difference does it make, then, if there is a transfer student going to either system who asks for a specific program that happens to be full? That is what you do now. You say to the student, "You wait until the next semester or you wait until next year."

Mr. Boich: I would do that, too.

Mr. Davis: So if you limit access by program, you can have a student sitting out there who cannot access either system.

Mr. Boich: He can wait for a semester. You cannot have all your desires. Students do this all the time. That is why most secondary schools have moved to semesters; so many more options are administratively possible.

I know parents and students will be bitterly disappointed, particularly those who need that credit and it is the last credit. I would assume that common sense would prevail.

Mr. Chairman: With respect to the legislation and what Mr. Davis is trying to point out, the reality in the public system is that this is the way you operate right now. That is program discrimination, if you will; you can say this student cannot come in for that reason. There is nothing in the act that talks about that. The present Education Act just has the reality of what

directors of education and principals have to deal with on a day-to-day basis.

What we are talking about is that at the moment we have a limitation on space accessibility put into the act, which is new with respect to the secondary level. Do we need that, or do we need to just accept that there will be this reality and have that as an administrative fact? Should we be, as you suggest in your document, tightening up the definition to try to be more precise about programming even though there is nothing that is affecting the public system which has the same problem?

Mr. Boich: You have to make sure that somebody does not hide behind programs. The appeal that you have at present is very good. We accept appeals by students and parents as very important in our society, as cumbersome as they may seem to administrators and others. So there is a possibility of that appeal. Our only concern is that people might hide behind the program because, frankly, I can do lots of things with a timetable.

Mr. Chairman: I am not sure we could ever cover it by legislation.

Mr. G. I. Miller: I was impressed this morning with the presentation and the recommendations from people who are on the firing line and have the responsibility of putting it all together.

You said the association was made up of across-the-board members. How was the co-operation at that level?

Mr. Campbell: It was quite good. The committee that formulated the brief which our board approved was made up of an equal number of supervisory officers from public and separate boards. It was geographically represented.

As to our earlier comment, we were not suggesting that all of our members agree with all the points in here because, understandably, there are the extreme views because of the systems they represent. I think the co-operation is quite good. We see a lot of ways we can enhance that and utilize that co-operation to assist in the implementation of whatever form the legislation finally takes.

Mr. Boich: I might add that when you belong to the association it will not tolerate any lack of co-operation. You have to work your way through the problem as rationally as you can. The association becomes a very important forum and meeting ground to try to resolve the problems as quietly as you can. We do not have a high public profile. We leave that to other groups. But we do

try, as administrators, to resolve our differences, as hard as they may be. That is really what OAEAO is.

9:50 a.m.

Mr. G. I. Miller: We have had a lot of representation from rural and sparsely populated areas where, if the separate schools set up their own individual high schools, that is going to split the communities, or it could have that possibility. I wonder whether it is being discussed at the ministerial level to see that they work together and share facilities. It will take some selling and I think that is what you indicated this morning in your presentation. It is important we keep our communities strong and working together.

Can you see a role in the legislation to make sure facilities are shared so that the schools plus any new facilities that may be put in place, such as playgrounds, swimming pools, recreation and athletic facilities, can serve the community as a whole rather than individual schools?

Mr. Campbell: Our response is that we would definitely see a role. I think the earlier question by Mr. Davis is one that we are also sensitive to. We work for policy-makers at the local level and our best efforts to effect the kind of co-operation you are talking about ultimately is limited by the degree to which the trustees for whom we work wish that co-operation to take place. If we are going to have those problems solved in the 780 communities to which you refer, it may well need some strong inducement from legislators.

Mr. Chairman: That was nicely put. I think it is wise not to proceed too far along that line. Thank you both for the presentation. You have made a lot more work for our researcher who is keeping our regular compilation of new recommendations. We have a number that should be very helpful and we will make sure that his week off is not misspent in the pool halls of the province, but that he is at his desk.

For the members, in regard to the research compilation, the major document will not be available until the week after we come back because we have already booked two weeks of hearings and there is really no need to have it before then.

The next delegation is Mrs. Hope Lee. It is exhibit 790. A bit of a transfer is taking place but the members will all be back in their seats in a few minutes. Why do you not start? Would you like to read your brief or summarize it?

MRS. HOPE LEE

Mrs. Lee: I am going to read my brief. I would like to begin, however, by referring to three

pieces of correspondence I have in my possession. One is written by me to the director of the board of which I am a member, explaining that I am not running for re-election on November 12 and that because on that date I would become a private citizen, I intended to appear before your committee and I gave him the date of my appearance.

I received a letter from him in reply. I sent a copy of that letter to you, Mr. Chairman, to explain the nature of my presence here. I wanted to make it absolutely clear that I was here as a private citizen and not representing the board of which I am chairman.

The director has replied with a letter that was so kind I suggested to him I might change my mind and run for re-election. I could Xerox his letter and use it in my campaign, because as often happens when you are retiring from politics, things are said that do not get said to you when you are active.

I would like to quote a sentence from his letter. This gentleman, incidentally, is in the audience, not as the director of education of my board but as a personal friend. In his letter to me, he says, "I respect greatly your decision not to seek re-election so that you may openly state your views to the standing committee on social development concerning Bill 30 in the next week."

The last letter I have is the one from you, Mr. Johnston, which is a form letter. It expresses "thanks for your recent correspondence in which you express your views on extension of funding to the separate school system." I have not expressed my views in any letter I have written so far; I have simply expressed the fact that I am about to present a view. I thought I might perhaps start by making that correction for the sake of accuracy.

I would like to turn now to my brief. I stress again, it is a private citizen's. I am sure it will not make any difference whatsoever to the outcome of this committee. In some ways, perhaps it is a form of overkill from your point of view, because if you have heard from 700 individuals or groups, I am sure anything I have to say is primarily going to serve my own sense of necessity, not that of providing the committee with direction about the specifics of Bill 30.

I appear before you today as a private citizen whose life has centred on schools and schooling. I would like to tell you a little about four schools, one I attended as a student, and the other three I taught in, as they provide some insight into the problems you are wrestling with as a committee. Indeed, I love school, have always loved school,

and will continue unambiguously to do so. I am more ambiguous in my feelings towards education, whatever that is. I tend to agree with Mark Twain's observation, "Soap and education are not as sudden as a massacre but they are more deadly in the long run."

Like many Canadians, my parents emigrated to this country, in their case from Scotland, where public schooling at the elementary level had existed for three centuries for both boys and girls before England got around to it. They brought with them an expectation of good schooling for their children, and the Duke of Connaught Junior Public School in east-end Toronto provided it, as did Devonshire school in Ottawa. Those schools in the 1930s and 1940s were, however, as indeed were my parents, limited by their homogeneity. Although they were good people, parents, teachers and fellow pupils were also unthinkingly intolerant. Nowadays, we pride ourselves on our so-called tolerance. In the present debate over Bill 30, we should be careful not to mistake political convenience for genuine tolerance.

In 1942, my father was transferred to Windsor, Ontario, and I entered grade 9 at Kennedy Secondary School where, incidentally, two of my three best teachers were Roman Catholics: Miss Pauline Bondy and Miss Aileen Noonan. If, as I believe, children are sent to school for more than the subjects they study, then Kennedy provided me with the best social education for which one could ask. On the one hand, my father was saying dreadful things at the dinner table, which I shall paraphrase as, "You did not let a Jew, a black, a Pole, an Italian, a Ukrainian, a boy, beat you." I leave it to the imagination of the committee to fill in the expressions my father actually used.

Back at the school, no one ethnic or religious group commanded a majority or even formed a clique, so that we adolescents soon figured out who the natural athletes, politicians, debaters, writers and actors were, and who the sleazy types were. That, contrary to the professed belief in the superiority of our home backgrounds—and all the homes were saying the same dreadful falsehoods about the other homes, we discovered by comparing notes—there was no one superior group. By a stroke of luck, at a crucial age, I was forced to judge my classmates as individuals even as my knowledge of other religious and cultural backgrounds grew.

10 a.m.

The second high school of which I have intimate knowledge was in a company town in

northern Ontario. I confess that even with an honours bachelor of arts degree in philosophy and English from the University of Toronto, as a rookie teacher I did not know, in the early 1950s, that many such towns consisted almost entirely of francophones. Nor did I know children had to attend a public high school in which the language of instruction was English, even though their elementary education had been at a parochial school where the language of instruction was French. Not only this injustice prevailed in such towns, but also the social injustice of an anglophone elite, the foresters, the engineers, the teachers, the managers of the local mill imported from southern Ontario, led to a very divided community.

Again, the saving grace came from the fact that everybody had to attend one high school, so that the children of the managers and the workers, the francophones and the anglophones, the Roman Catholic and the non-Roman Catholic, went to school together, school dances together, school hockey games together, and the anglophone minority, no matter what was being fed them at home, could not prevail over the francophone majority merely by virtue of their fathers' incomes.

I am pleased to report that there is now still only one high school in that town. I phoned to check and the operator asked if I wanted the high school or the école secondaire. I am pleased to report that there is still now only one high school in that town, but for those who want it, the language of instruction is French, the management mix is less exclusively anglophone, and the anglophone children now have the priceless benefit of French immersion.

The third school I would like to describe to you briefly was a private girls' school in the highlands of Scotland housed in a castle that went back to the 13th century. When I first arrived there as a teacher, I felt I had died and gone to heaven. Beautifully mannered classes stood as I entered and requested permission to sit down. We went as a group each Sunday to the cathedral in neighbouring Dunblane for the Church of Scotland service; a very satisfying experience, aesthetically speaking.

Soon, however, I became frustrated by the lack of curiosity, the smugness, the superiority complex such a school inevitably fosters. Ultimately, such homogeneity is intellectually boring or, as my own five children would say, "bo-o-o-ring." For the first time, I began to realize what had motivated my father to emigrate to a country such as Canada.

The fourth and last secondary school I taught at was Parkdale Collegiate here in Toronto where, under Miss Mary Campbell, I was head of the English department and taught an even more heterogeneous group of students than I had known in Windsor as a student at Kennedy school. In 1957, we even had an unexpected influx of Hungarian refugees. Looking on, I noted the same social education that I had had doing its marvellous work once again. Since this was taking place just before the infamous Hall-Dennis report watered down the curriculum, we teachers could actually honour the integrity of our subjects without patronizing the students before us. From a personal point of view, my years at Parkdale Collegiate were a golden age.

Having had such a past, I am sure you will understand why I have such strong feelings regarding the use of public tax money to siphon off one of the most significant portions of our Ontario teen-age population. I am trying to speak on their behalf, if that is not too presumptuous of me. As a mother, I can appreciate the strong protective instinct that insists on parochial elementary schooling; but as a mother, I am equally aware of the importance of letting go. We mothers learn on the job, so to speak, to wave cheerily as the school bus fades into the distance, even as the lump forms in the throat.

I believe it is a wicked deprivation to limit our adolescents' schooling to take place only among those who are like themselves. If certain groups in society feel so threatened by the possibility of their children being contaminated by the presence of other children whose values may not be the same as theirs, then they should set up truly private schools and, in that way and that way only, be "separate." Whether that separateness is based on religion or socioeconomic privilege, its end result will be the same: the erosion of universal secular public schooling which was once Ontario's greatest achievement.

It has been with a growing sense of unease that I have been following the nondebate over Bill 30. As a follower of the provincial political scene ever since Miss Noonan taught me Canadian history, I am puzzled by the all-party agreement in principle. If the Liberals supported it, that would not surprise me, but for the Conservatives to change their minds on this issue, I do find that surprising. Even though they mastered the political art of centralizing decision-making and decentralizing blame, many of those in Ontario, particularly rural Ontario, who think of them-

selves as Conservatives are not so much puzzled by ex-Premier Davis's turnaround as dismayed.

As for the New Democrats, how they can call themselves socialists and support Bill 30 beats me. In France, where there is a socialist government in power, the debate over parochial schools is not whether to finance them but whether to allow them to exist. Until November 12, I continue to be a municipal politician in rural Ontario, and let me warn you, out there in the so-called boonies are a lot of natively shrewd intelligences, and what they are saying down at the general store is, "Deal, deal, deal."

In conclusion, I would implore you to think of the consequences of Bill 30 during the last part of the 20th century and into the 21st. What message do you wish to give our young people? Do you not fear, as I do, that the message you are giving them is backward-looking not forward-looking? When a local separate school educator says he is not surprised by the opposition to Bill 30, that it comes from the same old groups it has come from over the past 150 years, is that not only argumentum ad hominem but also backward-looking, even back to the old country?

Our young people themselves are curiously absent from this debate. Perhaps they are wiser than we. A juxtaposition of the ideas of Northrop Frye and Bruce Springsteen might prove illuminating. Frye says:

"But it seems to me that there are two levels of belief. There is, first, professed belief, what we say we believe, think we believe, believe we believe. Professed belief is essentially a statement of loyalty or adherence to a specific community. What we say we believe defines us as Christians or Moslems or Marxists or whatever. But there is another level on which our belief is what our actions show that we believe.

"It is characteristic of believing communities, anxious for their solidarity, to set up elaborate structures of faith that ask too much from their adherents in the way of professed belief, forgetting that any belief which cannot become an axiom of behaviour is not merely useless but dangerous. In some respects, professed belief is a solid and satisfying basis for a community, yet in our world it seems it is the worst possible basis for a secular community.

"Whether the community is nominally Catholic or Protestant or Jewish or Moslem or Hindu, every secular state guided by religious principles seems to turn them into a form of devil-worship. The same thing is true of Marxism which, when it becomes socially established, acquires a reli-

gious quality based on the doctrine of the infallibility of the Holy Communist Church.

"If there is a creative force in the world which is greater than the purely human one, we shall not find it on the level of professed belief, but only on a level of common action and social vision. The human race already knows what it ought to be thinking and doing, though the voices of repression, made articulate by competing ideologies, keep shouting the knowledge down.

"Religions, theistic or atheistic, are units which define themselves in such a way as to cut off the possibility of their being parts of larger wholes. We are perhaps now in a period of history at which this looks more like pride and delusion than like faith. If we could transcend the level of professed belief, and reach the level of a world-wide community of action and charity, we should discover a new creative power in man altogether. Except that it would not be new, but the power of the genuine Word and Spirit, the power that has created all our works of culture and imagination and is still ready to recreate both our society and ourselves."

When our young people internationally raise funds for African famine relief through rock concerts and television, they are acting on their beliefs, not their professed beliefs. When Bruce Springsteen renounces the politicians' attempts to co-opt his popularity and tells it "like it really is," our young people distinguish between the false and the true. The political process and the educational process have failed our youth.

As Springsteen says, "You see the re-election ads on TV, you know, 'It's morning in America,' and you say, 'Well, it's not morning in Pittsburgh. It's not morning above 125th Street in New York. It's midnight, and like, there's a bad moon rising.'"

Since the schools have failed to bridge that terrible gap between expectation and reality, perhaps the optimistic view is that of all those people—young, old, black, white, religious, nonreligious, multicultural—who attend a Springsteen concert and respond to the central emotional idea, both of youth and their music: that only this moment matters and that they matter to each other. The question is, do they matter enough to us?

10:10 a.m.

Mr. Chairman: Thank you for coming. We read of your recent decision and we were interested to see you before the committee. We are glad you came to express your point of view.

Ms. Bryden: Mrs. Lee, your submission was interesting and your quotation from Northrop

Frye is one I had not read, not recently anyway. It is cogent.

On your concern about how the socialists or the New Democratic Party, who are social democrats, can support Bill 30, there is another principle at work here and that is the principle of fairness in grants. The grants should be the same per student as long as we have the dual system publicly supported by taxes. For a considerable number of years there has been discrimination against students in the Roman Catholic side of the public system. Ending that unfairness was the overriding concern of the New Democrats.

Whether we are preventing children from mixing with their peers of all races, religions and classes in the school, it is our hope that the emphasis on sharing in order to avoid duplication of services as well as to get co-operation between the boards and the sharing of a common interest in education will give the opportunity for the boards to meet, get to know each other's viewpoints under the implementation process and work out sharing arrangements. Ultimately, it will result in much more mixing of the students in the two systems. This is what we both want.

Do you not feel that progress can come from Bill 30?

Mrs. Lee: I understand that point of view and I respect it. However, when such words as "fairness" and "unfairness" are used in this debate I am reminded of George Orwell's comments on Newspeak.

I have great respect for Norman Fitzpatrick, the principal of St. Michael's College School in Toronto, who is going to refuse the funding in order to maintain the integrity and catholicity of his high school. If the intent of Bill 30 is to allow children access to either system and end up having them mix with one another, then it is a charade we are going through in the sense that the ultimate goal seems to be the undoing of the separate school system.

The question of whether the separate school system has been dealt with unjustly in the past has been well documented. I am not disputing that there has been unfairness and injustice to separate school ratepayers. The cutoff at the end of grade 8 just happened, fortunately, to coincide with the age at which children begin moving out from their home background, and if those home backgrounds have been limited, as my own was, the mixing in high school is a tremendous benefit to them in bringing about genuine tolerance for each other and for people with different points of view, particularly on religion.

I do not object to separate high schools for whatever reason—private, Catholic, Jewish or what have you. I object to public tax money being used for that purpose when the social benefits of public schooling have been almost entirely due to their secular and universally accessible aspect.

That is simply a difference in philosophy that I am not going to persuade the committee to change its mind about. I have not come here to stop Bill 30; obviously I cannot. I came here because I felt very strongly that many people feel as I do and they are afraid to speak out because they do not wish to be labelled as being unfair or, indeed, prejudiced. I just felt perhaps it would give me a more subtle feeling in my own mind about my decision not to run for re-election if I took the opportunity as a private citizen.

Ms. Bryden: I appreciate you bringing your viewpoint to the committee. It is shared by a lot of people. We have heard a lot of separate school briefs that say they are willing to share and do not feel it will alter the general difference in philosophical approach, what you may call a catholicity. They are looking forward to more sharing and more dialogue between the two systems and the intermixing of the children.

Mr. Chairman: I want to assure you that many people have come and shared your opinion and have not felt reticent about expressing it to us. We have been hearing many people speak passionately on many sides of this issue; not what might even be presumed to be both sides of this issue, but many sides of this issue. We very much respect your decision to come here and express your point of view today.

Mr. Ward: I wanted to comment.

Mr. Chairman: Please do. We would all be charmed, I am sure.

Mr. Ward: I am sorry I was not here for Mrs. Lee's presentation because of other commitments I have down the hall. I wanted to say to this committee that Mrs. Lee comes from my riding. I consider her a friend as well as a dedicated school trustee. She and I do not share the same opinions on this issue, but I can say that Mrs. Lee has never been afraid to speak out and enunciate her very high standards and principles as a trustee. I think she is continuing that process today and I congratulate her on that, even if I cannot agree.

Mrs. Lee: You may change my mind, Chris, and I might run for re-election with that kind of endorsement.

Mr. Chairman: There is Hansard, of course, so you can pick it up. You are in great shape now.

You have that letter and now you can pick Hansard out and quote him on this and put yourself back in the race. Now you have done your private citizen's duty, the closing date for nominations is not for a couple of weeks, as I recall.

Mrs. Lee: I intimidate him, you see, because I substituted for a high school teacher in our riding when he was in high school and I actually had an opportunity to teach him for all of two weeks.

Mr. Chairman: Then you know things about him the rest of us should know and we will meet you out in the hall to find out later. Thank you very much for coming.

Our next presenter, presumably with a different point of view, is Sister Rita Mary Coté, item 791. Start anywhere you like and we will have questions when you finish.

SISTER RITA MARY COTE

Sister Coté: I would like to read my brief. Is it appropriate to comment as I go, in the light of things I have thought about in the last couple of weeks, hearing more of the input?

I appreciate that you have listened patiently over the past weeks to what is at times, I am sure, repetitious. I doubt that what I have to say today will add in any significant way to the accumulation of debate, of discussion, of presentation of facts and opinions surrounding the issue of completion of the separate school system. But I feel, on a personal note, I have some experience to share with you that will lend support to the government's efforts to achieve equality of educational opportunities for all students of our province and to promote excellence and fairness in our two systems of education.

10:20 a.m.

Before I proceed, on a more personal note, sort of a family history of education, let me say first that I have been somewhat surprised at the panic that followed the announcement of June 12, 1984. I fail to see how extension of the Catholic school system, which has been around for more than 150 years, can be considered to be a major alteration when we are looking at the last two senior grades of high school. Since before the British North America Act, we have had in place in this province, as you know, two school systems.

In this proposed legislation, the Education Amendment Act of 1985, we are looking forward to a historical moment when the moral intent contained in the British North America Act of 1867, and before that the Separate School Act of 1864, will be realized through the extension of

funding to grades 11 and 12 of the separate school system.

Completion of the final one seventh of the system that was granted rights in 1867 can hardly be called a major alteration of our education system. There have been two systems in this province for more than 120 years. As you well know, there are numerous examples across this province of the long, historic presence of Catholic secondary education. My own family history gives testimony to this.

As a matter of fact, history reminds us of the age-old role of the church in establishing schools and universities in Europe and elsewhere, as well as in this country of ours. The state, in comparison, is a relatively recent partner in the field of education, though a most appropriate partner none the less. It is a given fact in our time that a higher level of education and related social programs are costly and depend on government funding based on taxation.

The other issue that has, sadly, come to the fore in the midst of the debate is a fear that completion of the separate system to grades 11 and 12 would somehow prove to be divisive. Along with this fear is the well-publicized allegation that Catholic schools are inappropriate in a pluralistic society.

For a period of more than one and a half centuries, Catholic schools have made a major contribution to the development of citizens in every major city and many towns in Ontario. Graduates of Catholic schools have taken their place in professions, in business and commerce, in rural areas, in industries, in community development and in social and political life. They have worked and lived alongside people of many faiths and persuasions. They have been involved in myriad ways in leadership, in culture and in community and civic efforts.

I do not see how this historical pattern warrants the label "divisive." Nor do I understand how pluralism would be served by destroying this diversity or by allowing an alternative system of education to die because of rising costs. How could one monolithic school system possibly serve the common good in a pluralistic society? As has been said many times here, we live in a vast country that historically follows the mosaic model, not the melting pot.

Let me share with you some of my family history, which is intertwined with the history of separate schools in this province.

In the early 1900s, my father and his brothers and sisters, and my mother as well as her brothers and sisters, attended separate elementary schools

in Guelph, Ontario. There was no Catholic high school opportunity for boys in Guelph at that time, so my father and uncles and their friends attended Guelph Collegiate Institute. My mother and aunts attended a Catholic high school, Loretto Academy, established by the Loretto Sisters in Guelph in 1856. My maternal and paternal grandmothers both attended this same school in the late 1800s.

In the 1930s, 1940s and 1950s, my brothers and sisters and myself also attended separate elementary schools in Guelph. My older brothers went to high school at Guelph Collegiate and Vocational Institute and I received my high school education at Loretto Academy.

In the mid-1950s, Loretto Academy became a coeducational high school which changed names to become the present Bishop MacDonell High School. I remember those days because I was in grade 13. It was the early 1950s and it was the time of the extension of funds to grades 9 and 10, so for the first time the separate school board in Guelph was able to build a facility for grades 9 and 10 and both boys and girls attended there. It was rather exciting to see that building and that facility rise on the property of Loretto Academy at the time.

My younger brothers were among the first two classes of boys to receive their high school education in a partially funded Catholic high school in Guelph, Ontario. At that time, partial funding was granted to grades 9 and 10 in separate schools. In those days, of course, my younger brothers and sisters and their friends paid tuition for grades 11, 12 and 13 or they transferred to the public system to complete the last two or three years.

My thoughts now turn to this issue of tuition, which also has a history, an interesting one I think, in Guelph. When my mother and my aunts attended Loretto Academy in Guelph between 1915 and 1930 the tuition was \$25 per year. Their parents were paying taxes to support the publicly funded high school and a \$25 tuition fee per year for their daughters. When my friends and I attended the same school in the early 1950s, the tuition had increased to \$26 per year. That represents a decimal annual inflation rate, I believe, over a 30-year period.

By the way, I include in the friends who attended Loretto both Catholic and non-Catholic students because we drew from students across the city.

Currently, the tuition rates for grades 11, 12 and 13 for my nieces and nephews in the Guelph and Kitchener areas is about \$700 per year. Their

parents continue to pay taxes to the public high schools as our parents did, but tuition fees, textbook costs and transportation costs have become a burden to these families. To understand the reasons for this increasing financial burden, one needs to look at the evolution of the Catholic high school system, especially at the issue of staffing.

In the first 50 to 60 years of this century, Catholic high schools were staffed for the most part by religious communities of men and women who received very little wage for their labour and who ran schools on a shoe-string budget. Like the Loretto Sisters in Guelph, they provided an education in the humanities, sciences and languages in graceful buildings with minimal trappings—buildings similar to this one, I felt, as I walked in today—without complicated equipment or technology, while still maintaining high educational standards. That education enabled students to take their places in universities, colleges and the work force over a long period of time.

The dramatic shift came in the mid-1950s and 1960s. The demand for technology and its expensive labs and machinery increased. The number of sisters, brothers and priests who remained in teaching roles declined. The need and demand for substantial salaries to more and more lay teachers increased. Tuition fees had to be increased accordingly. While religious communities such as the Loretto Sisters continued to pour money into the high schools, parents and students began to share more of the burden.

Again, I speak from personal experience. For five years in the 1970s, I was principal of Loretto Academy in Niagara Falls where finances were a continual concern and burden to me as principal of that school. During that time, the Loretto community continued to cover the cost of much of the payroll for teachers in the three senior grades. That involved pouring back salaries from elementary school sisters into the high school to pay the salaries of the lay teachers.

Students there annually sold chocolate bars and Christmas cards and many other things to buy sports equipment. Parents, teachers and students organized walk-a-thons and benefit dinners to help keep the school afloat. I attended one of those last Sunday in Fort Erie; it was arranged by a gentleman who was here last Thursday night. For seven years he has organized a breakfast to pay transportation costs for students from Fort Erie who have to travel to Welland and Niagara Falls. We did this and others did it for a long time because we believed

we had a right and responsibility to continue providing education from kindergarten to grade 13.

Like Loretto high schools in Toronto, Guelph and Stratford, the academy in Niagara Falls was established in 1861. It continued to provide alternative high school education to girls in the Niagara Falls area until 1974 when it became a coeducational high school. That was during the term I was principal there. In 1983 the school closed to make way for an expanded, more modern facility, Saint Paul High School in Niagara Falls, which was an elementary school until the high school took it over as a facility.

As the human as well as financial resources of religious communities become depleted, Catholic ratepayers are having to assume a heavier burden in paying larger tuition fees as well as public secondary school taxes. Bill 30 will provide greater fairness and equal educational opportunities for the children of all taxpayers in this province.

10:30 a.m.

The principle involved in this issue is that Catholic parents who want to educate their children in a Catholic milieu should be able to direct their taxes to separate schools, not from kindergarten to grade 8 but from kindergarten to grade 12. My own memory of provincial politicians making efforts to work toward this fairness extends back to the early 1950s when I was a high school student.

I want to take a look now at one very important question before I conclude, what is called the philosophical theology of Catholic education. The issue is not only the right of Catholic schools to exist and be funded to the end of high school. I believe our society and culture today need the presence of schools that stand for and actively promote the values for which Catholic schools stand.

The Catholic school system has a very real contribution to make to Canadian society, and its continued existence is more essential than ever. At its best—and I underline here “at its best”—the Catholic school initiates students into personal faith in a world where many are searching for faith, into a sense of service in a world where many are self-serving, into a commitment to social justice in a world where too many are oppressed and chained.

Catholic schools have the potential for keeping alive a religious, spiritual awareness in a world which seeks meaning in the midst of meaninglessness and increasing consumerism. The mission of the Catholic school in the past 20 or 30

years has changed from that of the schools in which I grew up. This may very well provide a challenge to Catholic schools to support other religious groups in their efforts to preserve religious traditions and spiritual values, and to welcome members of other Christian churches.

Rather than being divisive, our schools can be gathering places for people who share common values and appreciate the contributions of all religions in the formation of culture and society. The spirit of a Catholic school, according to Vatican Council II, should be a spirit of ecumenism.

The emphasis in Catholic education today is not on segregation and protection but on being in and for the world. Today the call to Catholics is to a more mature, outgoing faith, one that is not only tolerant but welcoming to persons of all faiths.

In this view, Catholic schools will be centres that educate members of our society who will have an impact on that society and play some role, I hope, in transforming it. It will continue to educate people in sciences, art, communication, languages, technology and athletics, and encourage them to use this learning to play a constructive role in building human society.

Thank you for listening to my thoughts and to segments of my family history. The Coté story has been repeated many times over the past 150 years; in fact, I believe today there is one family in three that wants to preserve this dual system in the province.

I believe Bill 30 will ensure the continuation of the Catholic school system which is part of the history and social fabric of this province. There are adequate guarantees in the bill for high-quality education in both public and separate secondary schools. I wish you well in your deliberations and urge you to hasten the day when Bill 30 will be law.

Mr. Chairman: Thank you for sharing your thoughts and family history with us. It has been a fascinating process, this juxtaposition we often have in the briefs before the committee. Two people, both with education backgrounds, coming with two different perspectives on the bill, one right after the other, is something we have seen quite often, as you might gather.

Are there questions from committee members?

Mr. Reycraft: Sister, you have commented on the fact that, in your opinion, the mission of Catholic schools has changed over the years. I am intrigued by that statement. Could you expand on it for us?

Sister Coté: I was hoping you might ask me that question because I think it is significant. I feel a lot of what is being presented against Catholic schools depends on an understanding of such schools in a former day, when there was a defensive stand. That was part of the Catholic church in Italy, I think, for the last 400 years, which tentatively countered a reformation attitude with the idea of having to develop people who could defend themselves against all comers.

In the past 30 years at least, say from the beginning of my teaching career, we have set aside that, and a lot of it is because of Vatican II, to the point where we are not standing against the world but are very much more concerned about values that all people of good faith share. There is an appreciation of wanting to work together with others.

There is something else that comes into this, and I might reflect on it now. Mrs. Lee mentioned she found homogeneity boring. I have to say that, in my past 15 years of experience in a Catholic high school, first, I did not see homogeneity. Our student body was made up of very different individuals from class to class, people who were quite unique in character, intellect and ability, and in their ability to critique what we stand for.

I think the Catholic school today, especially the Catholic high school, has a mission to form persons who are ecumenical in their attitude, who are welcoming of people, who can reach out to all, who can be people characterized by hospitality, especially in our schools, and who have a concern for goodwill.

There is probably more I could say, but does that seem different to you from the character of the Catholic schools in the past 300 years?

Mr. Reycraft: Yes, I follow what you are saying. Do you think that the catholicity of the separate school is affected in any way by the attendance of non-Catholics?

Sister Coté: No, I do not.

Mr. Reycraft: There is no point at which it would be?

Sister Coté: As I look into the near future at least, I do not see that as a problem. I have always taught in Catholic high schools where there were students not of the Catholic faith, whose parents wanted them to come there for a variety of reasons. I did not feel they affected the character of the school, nor do I feel that about teachers.

I cannot see there is going to be an overwhelming population of non-Catholic people in our Catholic schools in the near future. In other words, accessibility for them has always been

there and only a minority of the student body are non-Catholics who took advantage of the Catholic schools.

Mr. Reycraft: I have one other question. You mentioned that in the 1950s or 1960s the number of sisters and brothers and priests who were teaching in Catholic schools declined. That is a perception I share. Could you comment on the reason that change occurred?

Sister Coté: There were two major reasons. First, there were fewer people entering our religious communities in the 1960s and 1970s and 1980s. Second, the people who were in religious communities were finding ministries outside the school setting. Catholic teachers became more prepared and willing to teach in the Catholic high schools, and therefore many of the people who had staffed the schools left the teaching staff. Some retired and others found other ministries, parish ministries and social ministries, or did pastoral work.

Ms. Bryden: You mentioned that Niagara Falls now has a modern high school, Saint Paul High School, that was established fairly recently. Do you know offhand what the fees are for that school?

Sister Coté: I think in the range of \$650 per year. I could have that qualified. It is \$325 a semester, plus textbook costs, plus transportation costs. It rounds off at about \$1,000 a year for students.

Ms. Bryden: That is quite a heavy burden, but we are also concerned about the capital costs of providing a modern high school in as many areas as need additional high school capacity for the separate system. Would you see acceptance by the Catholic system of sharing the additional space that may be needed with existing public schools, rather than getting completely new high schools which could have very high capital costs?

10:40 a.m.

Sister Coté: I think sharing is quite feasible. Our Welland county separate and Niagara South have had a history of co-operation and goodwill towards one another. My experience at Loretto was that of receiving help, for instance, from guidance and high school people in the public system. We have a history of co-operation down there.

Second, Niagara South is in a position of having empty classrooms. I am not sure what is in the plan for Niagara South and Welland county separate, whether the exchange of facilities will be in the near future.

Ms. Bryden: The exchange or sharing?

Sister Coté: Or sharing.

Mr. Chairman: We heard yesterday from the boards. There is some sharing now and the capacity in that area for real co-operation seems to be much larger than in others at this point.

Sister Coté: We are sharing. We are looking at sharing the audio-visual and film libraries. We already have access to the Niagara South film library, which is far better than ours. We have had co-operation on curriculum development between Niagara South and Welland county separate. We are looking at some sharing of transportation.

Mr. Chairman: Special education?

Sister Coté: Special education services have been exchanged for a number of years, and there are others. We have a good situation in terms of co-operation between the boards. We have also taken in some teachers this year from the other system, some of whom are non-Catholic.

Mr. O'Connor: Following up on the question of accessibility, which you have already touched upon, the bill as now written limits accessibility for non-Catholics to the Catholic system to situations where space is available. Do you see any difficulty in the elimination of that requirement, thus making each system totally open and accessible to anyone who wishes to attend it? Do you see any challenge to the catholicity of your system or the integrity of the Catholic system if that were to be the case?

Sister Coté: No. Given the different nature and the mission of the Catholic high school, many people can participate in it, provided they come with an understanding of our philosophy and values and provided they are not antagonistic towards it. That is one thing I would be concerned about. If people come willingly and voluntarily and ask to come to our schools, I presume they are there for particular reasons.

Mr. O'Connor: The follow-up question always concerns the requirement to take the religious instruction courses. How do you see the right to decline to take such courses? Who should have it and under what conditions?

Sister Coté: Let me tell you how I dealt with that at Loretto. We had students who came with some questions. Generally the parents who asked for their children to come to the Catholic high school came looking for the total parcel, which included religious instruction. Naturally they were excused from our sacramental celebrations, except where they wanted to attend.

However, there is a fine line between that situation and a parent wanting the Catholic high school for particular reasons which do not include Catholic instruction in faith. Our policy of religious freedom would dictate that those children, if their parents are unwilling to have them receive instruction, would have to be excused.

We also have a family life and sexuality program in which we have the same situation. Our board's position is, even with Catholic parents, if they oppose this program, they will be excused from certain components of it.

Mr. O'Connor: That is an enlightened point of view. I take it the students would be excused regardless of the reason they were at the school, even if they were there totally by their own choice and not because of the requirement of a particular course or the geography or something along those lines.

Sister Coté: Yes, especially if they are involuntary transfers because of geography.

Mr. O'Connor: That is another matter. If they are involuntary, that seems clear. If they are there voluntarily, do you still feel they should have the right to refuse religious instruction?

Sister Coté: Each situation needs to be dealt with. I would not make a policy, though, that non-Catholic students do not have to take religion. That is not adequate.

May I share one little incident with you? Do you have time? It relates to the question of co-operation between our school and other schools. In Niagara in the 1960s before I arrived they had a powder-puff hockey league between Loretto high schools in the province—they have changed the name since then—but it was a girls' hockey team. I was there for the evolution of that hockey league to a Niagara Falls girls' hockey league, which Loretto established in the town along with the co-operation of the coaches and other public high schools.

If you know anything about Niagara Falls, minor hockey and minor baseball are big things for boys. It was the leadership of our girls and our coaches that established a hockey league in the city. All the community, public high schools as well as our own, provided the teams, which had very intense competition.

It is also interesting that at gatherings afterwards the coaches from the public high schools as well as our own got together for the victory rally, whoever won. Often it was our own, since they had a longer history of playing hockey. As well, when I went to the parties with the hockey players they were there from A. N. Myer

Secondary School, Niagara Falls Collegiate and Vocational Institute and Westlane Secondary School. There was a tremendous sense of co-operation. I think we need to appreciate the level of co-operation and not highlight the schools being in any way divisive. I just wanted to share that.

Mr. Chairman: Thank you very much for all the things you have talked about. The committee is seeing a fair range of attitudes within the Catholic education system across the province at the moment, some of which, I would say, are still in the survivalist and defensive mode that you said has been evolved from since Vatican II. I just wish the model you represent were one we were seeing everywhere. If we were, we would have much less difficulty in terms of how this bill could be proceeded with.

Sister Coté: That is the work you have to do across the province.

Mr. Chairman: I appreciate your attendance very much.

There is a final deputation, last but not least, before we take a break, the Ontario Secondary School Teachers' Federation, District 47, from Norfolk. Please come forward.

I just have the name of Mr. Babineau. I will get you to introduce your colleague and take us through your presentation. We have had a lot of input from the Haldimand-Norfolk area recently.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION DISTRICT 47

Mr. Babineau: I understand that.

Mr. Chairman: A constant flow. One a day just to keep us on our toes.

Mr. Babineau: My name is Brian Babineau and this is Milton Payne, who is the president of our district. I have an abridged version of the brief we submitted, so if you are prepared, I will go through that.

Mr. Chairman: However you would like to proceed.

Mr. Babineau: This is the shortened form. If you wish, I will speed read it so we can get out of here by 11 o'clock.

Mr. Chairman: No trouble. You have lots of time for questions.

Mr. Babineau: The government's plan to extend public funding to the separate school system has caused deep concern among the Norfolk secondary school teachers. These teachers are represented by District 47 of the Ontario Secondary School Teachers' Federation. I want

to thank you for giving us this opportunity to address you today.

Norfolk county is located in southwestern Ontario along the shores of Lake Erie. It is bounded by the counties of Brant, Haldimand, Oxford and Elgin. Its economy, except in Port Dover, is primarily agricultural. It is a rural county with five areas of concentrated population. I would suggest that if you want any more information on that, you can talk to Mr. Miller afterwards, because he is well versed in the area.

Each population centre has a secondary school that provides an opportunity for all students in Norfolk county to obtain a well-rounded education within a reasonable travelling distance. The schools I refer to are the Delhi District Secondary School, the Port Dover Composite School, the Simcoe Composite School, the Valley Heights Secondary School and the Waterford District High School.

There should be no doubt in the minds of the members of this committee that District 47 of OSSTF strongly supports the position taken by our provincial organization to protect the rights of the membership and to promote and protect the public secondary school system. In the words of the former Premier of Ontario, William Davis, "we must not undertake a course of action that by its nature or in its execution would cripple or limit the viability of our nondenominational public secondary school system, which is accessible to all...and which will always remain the cornerstone of our education system."

10:50 a.m.

In Norfolk county there is uncertainty about whether the Haldimand-Norfolk Roman Catholic Separate School Board plans to implement changes in 1986 that would affect the schools in our area. Public statements by spokespersons for the Haldimand-Norfolk separate school board suggested a go-slow approach, but a recent listing of plans approved by the ministry included a plan for Haldimand-Norfolk. We were not involved in any discussions, nor were we consulted in any way, and we believe it is essential that guidelines be established at the provincial level for future deliberations. We feel that entrusting our fate as employees to the respective school boards, both public and separate, without official input and consultation is not acceptable.

Therefore, it is our position that we must have representation at any and all meetings between the two parties. We feel it is incumbent upon the committee to recommend that representatives of teacher groups be present at these meetings.

During the past 10 years Norfolk secondary schools have experienced a gradual but continuous decline in enrolment. This reduction in enrolment has been sufficiently serious that the board of education considered the feasibility of closing one or more of its secondary schools. Now it would appear that enrolment has stabilized to the point where we can maintain our community schools, but the extension of funding undoubtedly will reverse this trend when one considers that the present public secondary school student enrolment is 3,577 and, of those, 916 are the children of separate school supporters.

If a separate secondary school is established and the Roman Catholic students are withdrawn from the public system, the decline in enrolment would leave some of our public secondary schools seriously under-enrolled. One school population is just below 600, and two schools in our system have populations hovering around 600. That is the number considered by education experts to be the minimum enrolment required to provide a balanced mix of programs.

The proposed legislation seriously jeopardizes the existence of a public secondary school in each area and could result in the busing of students from one community to another. The closure of a public secondary school in the community would result in unprecedented outrage from the public in Norfolk county.

Last year former Premier William Davis suggested in his announcement of the extension of funding that this extension would unify the people of Ontario. It is incorrect to believe that unity will result in a community that is in danger of losing its school. The parents in our area were worried, angry and confused as a result of their former Premier's statement, and I believe that few feel more secure now with the government's promise to hold a public inquiry into the extension of separate school funding while at the same time introducing legislation that precludes the efficacy of such a public inquiry.

The public secondary schools in Norfolk have served the students regardless of race, national or ethnic origin, sex, age, mental or physical disability or religious affiliation. Moreover, a school in rural Ontario serves as the hub of the community. It acts not only as an educational institution but also as a community centre for entertainment and recreation. The loss of a school in any one of our communities will have a detrimental effect on community life. The proposed legislation on the extension of separate school funding threatens the fabric of life in our

county. We believe, therefore, that the Ontario government should guarantee that no community will lose its public secondary school as a result of the extension of funding.

We are concerned also that the division of secondary school students into separate and public schools will result in severe program restrictions. I should say a further division, because we recognize the reality of the present dual system and are not opposed to it. This could force the public school system to consolidate schools in order to maintain programs. It is again clear that in a rural county such as ours the closure or transfer of one of the existing schools will result in uprooting 400 to 500 children from their homes and transporting them from one community to another.

It is important to remember that, in the main, the students are the sons and daughters of farmers who require their assistance at home in the evenings. Obviously, additional travel time would negate the participation in extracurricular activities, which form an integral part of a child's education. This is particularly important in a rural community, where social activities are limited.

With this in mind and with the best interests of our students at heart, we insist that should a separate secondary school be established in our county in accordance with the legislation, all students in the area should have access to it, regardless of religious affiliation and space limitations.

The problems of program restriction and consolidation are not exclusive to the public school system. A separate secondary school would experience the same program difficulties, since the total number of Roman Catholic grade 8 students who are spread over Norfolk county is approximately 200, well under the number generally considered to be the minimum needed to offer a full range of subjects. In view of this it becomes very evident that the establishment of a separate Roman Catholic high school is not a viable alternative. Moreover, it would result in an increased amount of transportation for the students from their own community to the one where the separate secondary school is located.

Therefore, we believe the Ontario government should direct the boards of education to share facilities in order to provide the fullest possible program of studies and avoid an increased amount of transportation for the students.

Our primary responsibility as members of OSSTF, of course, is to our membership. The loss of 916 students would result in a loss of up to

52 members in Norfolk. This represents 23 per cent of district 47 membership.

Former Premier William Davis stated: "for a period of 10 years, Roman Catholic school boards will employ non-Catholic teachers in their secondary schools who, once hired, will be permitted to earn tenure...religion notwithstanding." We are pleased to note that the proposed legislation eliminates the 10-year cap, but there is still a great deal of anxiety among our members.

The teachers' concerns can be summarized as follows: redundancy, status, affiliation and promotion. To offset these concerns we would ask the committee to emphasize in the language of the legislation: that teachers declared redundant as a result of the implementation of this policy be hired by the Roman Catholic board regardless of their religious affiliation; that teachers transferred or hired by the Roman Catholic school board must be protected in respect of compensation, tenure and promotion opportunities; and that all teachers transferred or seconded by the Roman Catholic board retain their OSSTF affiliation and remain part of the district 47 OSSTF bargaining unit.

Furthermore, at a time when the Ministry of Education is calling for affirmative action programs, the impact on female teachers must be recognized. In Ontario the disproportionate ratio of male teachers to female teachers in secondary schools has been well documented, and Norfolk is no exception. Only 32 per cent of the teachers are females. If the teaching staff is reduced by 52, more than 50 per cent of those affected, in accordance with the board's seniority list, will be female. This will result in an even lower ratio of women to men, and this negative impact is not consistent with the government's stated policy of equal opportunity in the work place.

Apart from the concerns of our membership, we are extremely concerned about the impact of the extension of separate school funding on the youth of our county. It has been traditional in our county for a segment of our students to enter the teaching profession. We are concerned that the proposed legislation will eliminate an entire group of non-Roman Catholic students from the teaching profession if the public school system shrinks and the separate school system expands, unless it is made emphatically clear that teaching positions in the Roman Catholic system be taken up by surplus teachers from the public system and that, this condition being met, publicly funded separate secondary schools will be open equally in the future to qualified non-Roman

Catholic and Roman Catholic graduates from the faculties of education around the province.

We are also fearful that the dislocation will occur not only for students and teachers but also for nonteaching staff such as secretaries, custodians, cafeteria workers, maintenance people and administrators. The same degree of consideration and protection must be extended to support staff whose livelihood is threatened.

I have been reminded, in writing and preparing this brief, of Macbeth's words before he assassinated the King of Scotland: "If it were done when 'tis done, then 'twere well / It were done quickly." What Macbeth means, of course, is that if the murder of the king can be achieved without any ramifications—that is to say, if it is finished with the act itself and there are no after-effects that might hurt Macbeth—then he would be wise to face up to the job and do it quickly. As you know, this is precisely what he does, and he leaves such an unholy mess behind him that he pays with his own life and with the lives and happiness of many others. He should have known that in such a matter as the murder of a king one should plan and plan to the last degree before taking any action.

Let me assure you that this is not intended in any way as an analogy of type. I know that we all want what is best for all the children and all the citizens of Ontario. But I suggest to you that it is an analogy of kind, and I urge this committee to paraphrase Shakespeare thus: "If it is not done when 'tis done—and it will not be—then it were well it were done very, very carefully."

11 a.m.

Mr. Chairman: Thank you, Mr. Babineau. This committee believes, perhaps not from other decision-making that has gone on in the process of implementation but from our side of things, that it has been going very slowly and that it is going to continue to do so.

A number of the items you raise have been dealt with a lot in the committee, in terms of all the unions involved in the process, whether they are teaching unions or those representing staff in some capacity in areas where there is no union available, to afford nonunionized staff some involvement in the negotiation of plans and that kind of thing. Of course, the impact on the small communities with only one public high school has been a major concern of the committee throughout.

One thing that seems to be slightly inconsistent in your report is that you seem to say it is not viable for a Catholic school system to be established because of the graduating class of

200 from grade 8, yet you recognize there are 900 or more Catholics in your system at the moment. Therefore, taking the maximum number that could participate, there is the capacity the way things are going, even with your projections, of operating a county-wide school of 800 to 900 if all the Catholics were to go for that kind of busing, which I doubt. Therefore, I wonder why you think a full Catholic secondary system could not evolve, at least for one school.

Mr. Babineau: I think they normally might just be accounted for, because the 200 came from the notion that if a separate secondary school system were begun—in our system there is not one now, so it is just out of grade 9—so you would be starting with a base of 200.

Mr. Chairman: It would be very hard to give full program. Okay; I did not exactly understand that.

As somebody who comes from the country myself, I very much doubt that people will want to transport themselves to some central area in Norfolk, which is a large county, and that Catholics from all sides would use that rather than go to their local high school.

Mr. Babineau: Frankly, I would too.

Mr. Chairman: We just hope the process of sharing, which we have talked about before and which is happening more in places like the Niagara district, might happen in Norfolk as well, so that various kind of programmatic additions could be made to some of the high schools in Norfolk that could accommodate some of the desires of the Catholic community rather than looking to this whole new construction side of things.

Mr. G. I. Miller: It is a pleasure to welcome Mr. Payne and Mr. Babineau here this morning. The fact we have had three presentations from our area indicates we are certainly concerned about the legislation that is being proposed. I am glad to know you are giving the input for which the committee was designed.

I share a lot of the same views and concerns that we keep our community together. I believe we are working towards some co-operation before anything is done. I think the legislation will have considerable effect on that co-operation, and it is important to me and to our community.

Have there been any effects in respect of the first year of funding to grade 11 as far as employment is concerned this year, in this term?

Mr. Payne: Pertaining to?

Mr. G. I. Miller: Teaching staff. Has there been any job loss?

Mr. Payne: There have been no jobs lost in Norfolk county. The decline in enrolment continues, but no one has lost a job as a result of that.

Mr. Chairman: But there are no programmatic changes at all this year in Norfolk, of course.

Mr. Payne: No.

Mr. G. I. Miller: At the present time in Haldimand-Norfolk there is one separate board. It has not made a presentation to the committee, but I believe there are eight schools currently in existence.

Have you lost any students? Do you have a number who have transferred from the public system to the separate system in the secondary education area?

Mr. Babineau: There is no separate school system in Haldimand-Norfolk at the secondary level; at least not that I am aware of.

Mr. G. I. Miller: Okay, not in Haldimand-Norfolk, but one is being established or has been established in Tillsonburg, that may give some access to that part of the municipality, perhaps this year. Have any students taken advantage of that?

Mr. Babineau: I do not know how many students or from where. That is in Oxford county, as you know. Our staffing was done on last year's numbers. It is always going to run a year behind. However, our student enrolment is down in the county this year.

Mr. G. I. Miller: That is due to natural decline.

Mr. Babineau: I cannot account for it. I do not know. It was contrary to all the projected enrolment figures. I think we are down a total of 50 students overall, which is a rather large number for our small district. That represents about three teachers.

Mr. Chairman: I believe there are around 50 students enrolled in the Tillsonburg classes at this point. As far as I know, they are all from Oxford. However, there are Catholics who are leaving the county to go to other—

Mr. Babineau: St. Johns and Brantford, for example. That has been ongoing. We recognize and accept that and we are not opposed to it. That is taken into account when we do our projected enrolment.

Ms. Bryden: I found your brief very interesting. I spent a week of my vacation in Norfolk county this summer. It was my first visit there

and I really enjoyed the facilities, the scenery and the lifestyle.

Mr. G. I. Miller: I have been saying that for a long time.

Ms. Bryden: I am particularly interested in your concern about women teachers and the effect of the extension and the changes on them. I do not know whether some special form of affirmative action can be worked out by this committee in the event a significant number of female teachers have to be laid off or transferred. We cannot interfere with seniority.

There may be an opportunity to have the public board employ them to reduce class sizes and things of that sort. Have you any suggestions as to how to overcome the impact? I hope your predictions are not as great as this.

Mr. Babineau: I do not see that happening with the figures we gave you. My first suggestion would be, do not do it. That would solve that. I do see it as a problem. I do not know whether I can tie the two things together. You cannot break the seniority chain. It is true there are more women at the lower ends of it, probably for reasons of settling down, having a family and coming back into the system later. It seems wrong that those people would be affected more.

Perhaps secondment is the best idea. In cases of displacement, if we can use that term, if people have to go from one system to the other, perhaps they can be displaced by secondment. They would keep their affiliation, their employability with the Norfolk Board of Education, the public school board. They would be on loan to the other system. When the opportunity arose, they would come back into our system having retained their seniority and everything else.

Mr. Chairman: That suggestion for a capacity to go back has been raised a number of times and has often been combined with the notion of voluntary transfer, which might also help ameliorate the situation of women being affected disproportionately.

Ms. Bryden: It is an interesting suggestion the committee should look at.

Mr. Chairman: I am sure we will be.

Mr. O'Connor: I want to address myself to one comment you made that appeared somewhat curious to me. You asked that the government guarantee that no school would be lost in your system as a result of this bill. I accept that comment and the necessity for it from your point of view. You are also, and it has been referred to, going through a period of naturally declining enrolment.

If the effect of this bill were that a separate high school could be established, the chairman has pointed out the numbers do not seem to warrant it now, but if that were to come about in the near future, taking that together with the declining enrolment you might well be faced with loss of a school; it might be inevitable.

11:10 a.m.

What do you see as the minimum enrolment in your system necessary to provide a program in a high school? If you are faced with the loss of a school, how do you see the government guaranteeing it not happen? We cannot keep schools open and fund them when there is not a minimum number of students who want the program and that sort of thing.

Mr. Babineau: Common sense has to prevail somewhere. There is no question there must be a point, and I presume reasonable people would recognize it, at which you are simply not able to provide education. I am not prepared to give a number. As I mentioned, educators often say 600 is the level at which you wonder whether you can offer the programs students deserve to have. You could be right in saying there are two reasons that might bring us to a point where it is no longer considered viable.

I am not trying to avoid your question so much as to say that we still have to put it in the context of a community. Then you start looking at the viability of the community. Is the community still viable? Is Waterford still an area that has attachments and a sense of history? If it does and if you can see that in perhaps four or five years things will swing around and more kids will come into it, the government had better be prepared to support that school program. That is very important to the quality of life we have in rural Ontario.

Mr. Chairman: You make a very good point, especially as you describe the school as the hub.

Mr. Babineau: That is true.

Mr. Chairman: To lose that could affect the overall viability of the community.

Mr. Reyecraft: I would like to address the matter of teacher transfers and relate it to an Ontario Secondary School Teachers' Federation problem that was conveyed to us earlier this week.

Let me use an example of a board in which there is a decline in enrolment over a three-year period that results in a loss of 15 teaching positions. Let us say it happens regularly so that five positions are lost in each of the three years and let us say that nine of those positions are lost

as a result of the general decline in enrolment and six are due to the extension of funding. For the sake of the example, let us say those declines are also regular over the three-year period.

The result would be that in the first year we would assume the three teachers of least seniority would be redundant as a result of general decline and would not be protected. The next two teachers on the list, moving upward and using seniority as a basis for protection, would be given the protection of the designated list. They would either be employed by the separate board or would remain on the list and the province would be responsible for their remuneration.

When we move to the second year, the teachers who would be declared redundant because of declining enrolment and who would not be protected would have more seniority than the two teachers who had been protected the previous year. The problem becomes obvious at that stage. Do you have any suggestions as to how the bill could address that situation fairly?

Mr. Babineau: You have defined the problem very well. I am not sure I have a ready answer. I can compound it a little with the notion that in our collective agreement with the Haldimand-Norfolk Roman Catholic Separate School Board, a person who is declared redundant is given a one-year tenure, so he will be employed by the Norfolk board for one more year. In the scenario you just suggested, the first three people would have one year guaranteed in Norfolk, while the two who had more seniority than the other three would be out of the system and put into another system. Do you follow my meaning?

Mr. Reycraft: Yes.

Mr. Babineau: That makes it even more complicated than what you are suggesting. I do not know that recognizing the problem makes us that much abler to handle it. I am not prepared to give you a clear-cut, definitive answer now. It is something that I and a lot of other people have been thinking about a lot. Obviously, you are thinking about it a lot too. If we put all our thoughts together, we might come up with an answer.

Mr. Chairman: We have had some suggestions. Perhaps you would like to lay one of the suggestions on him and see what he thinks.

Mr. Reycraft: One possibility would be to use secondment on a one-year basis and have the teachers who initially were given the protection of the designated list come back into consider-

ation for the second year and the years thereafter. Eventually, at the end of the transitional period, for teachers who had truly been affected the seniority provisions would apply to teachers redundant for both reasons. It could turn out to be a fairly complicated process by about year six.

Mr. Chairman: Especially when the matter is confused by the question of designation of position rather than of person.

Mr. Babineau: You are quite right. There are a lot of problems. One would have to do with program areas. People being declared redundant or displaceable may not be in the subject areas that are needed in the school. How do you resolve that?

Mr. Chairman: Those areas can also change over a given number of years.

Mr. Reycraft: With respect to those teachers, as I interpret the bill as it sits now, they would remain on the designated list. If a separate board did not hire them because their qualifications did not fit the need, their salaries would be protected.

Mr. Chairman: They would not be working for their salaries.

Mr. Reycraft: I do not know whether I am any closer to a solution to the problem.

Mr. Babineau: Thank you for defining the problem so clearly.

Mr. Chairman: Thank you for coming in from the great tourist area of Norfolk. I now realize that is another of its major attributes. I knew it was a major tobacco area. I presume that is why Mr. Miller has decided to break the smoking ban I have had during this last hour or so of the committee hearings. He even has Hansard smoking now. It is a slippery smoke you have us on, Mr. Miller.

Mr. G. I. Miller: For clarification, Mr. Chairman, your vice-chairman or assistant chairman came to me last week and said he was going to break the rule, that it was the last day and we always had to break some rules, particularly when we sit for so long.

Mr. Chairman: When the chair is away the mice will play; I know how that works. I would like to thank the members of the staff and Rogers. The guys who have been working the cameras for the past number of weeks have also had to put up with an awful lot. I should give them credit as well at this point.

The committee adjourned at 11:20 a.m.

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Davis, W. C. (Scarborough Centre PC)
Johnston, R. F., Chairman (Scarborough West NDP)
Miller, G. I. (Haldimand-Norfolk L)
O'Connor, T. P. (Oakville PC)
Reycraft, D. R. (Middlesex L)

From the Ontario Association of Education Administrative Officials:

Boich, J., Executive Director
Campbell, B., President

From the Ontario Secondary School Teachers' Federation, District 47, Norfolk:

Babineau, B.
Payne, M.
Coté, Sister R. M., Private Citizen
Lee, H., Private Citizen



No. S-65

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Tuesday, October 15, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Tuesday, October 15, 1985

The committee met at 3:44 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to Amend the Education Act.

Mr. Chairman: I call the meeting to order. This is the first session since the House resumed today. We have two submissions today and then a very full day tomorrow, as members will notice.

Our first deputation is from the Grey County Board of Education. Would you like to come forward? I will let you introduce yourselves and you take us through your brief any way you would like. Then we will open up for questions.

GREY COUNTY BOARD OF EDUCATION

Mr. Wright: My name is Wes Wright, and I am the chairman of the Grey County Board of Education. With me today I have vice-chairman Arlene Wright, to my left; and to my right is Mike McKenna, director of education. We also have our superintendents, Brian Cain and Harry Leatham.

We would like to thank you very much for hearing us, particularly on a day when you have so much on your plate. Thank you very much for the opportunity.

You have heard many briefs and you will hear many more, I am sure, but we think ours might be of interest to you since we come from the predominantly rural constituency of Grey county.

Without further ado, I am going to ask Mr. McKenna to start through the brief with you.

Mr. McKenna: We will handle the presentation in three parts. We have asked each of the staff people to be responsible for one aspect. Mr. Leatham, on your far left, superintendent of operations, will give you a bit of the background in Grey county over the past 15 months. I am going to ask Mr. Cain, superintendent of business, to lead you through sections II, III and IV; and I will handle section V, dealing with Bill 30 concerns.

Mr. Leatham: As Mr. McKenna said, the first section deals primarily with the actions the

Grey county board has taken and statements it has made over the past 15 months.

The Grey County Board of Education has complied, without prejudice, with the directives issued since the initial statements by the then Premier, William Davis.

Further to that, we have been co-operating with the Bruce-Grey County Roman Catholic Separate School Board in relation to the ongoing implementation aspects. We met with that board on two occasions. We exchanged statistics, were made aware of their plan as it was submitted and have submitted an impact statement as required.

It is important to note at this juncture that we feel the impact statement necessitated a number of assumptions on our part as to what might transpire, and therefore the material included in that impact statement was not as clear as we would have liked. I emphasize that compliance must not be interpreted as unqualified acceptance.

As a result, during the months shortly after June 12, 1984, we participated and expressed our concerns and views in the following fashion.

Submissions were made to each of the three initial commissions appointed by the government, letters were sent to sitting local members and a letter was forwarded to then-Premier Frank Miller. In those letters and submissions, the Grey county board made the following points in which we summarize to a large extent the kinds of feelings, concerns and ideas we included in the three briefs.

First, we made the point strongly that the Grey County Board of Education believes universal access to diversified programs and services to all students must be guaranteed.

Second, the Grey County Board of Education believes duplication of programs and services provided by this board, if developed by the Bruce-Grey County Roman Catholic Separate School Board, would require a large expenditure in terms of buildings, materials and capital equipment. We suggest further that the source of such additional funding remains unclear.

3:50 p.m.

At this point I would like to refer you to the final paragraph on page 4. It is important for you to understand the breadth of programs and

services that are currently available to all secondary school students in Grey county.

In Grey county we have five secondary schools, which have an average enrolment of 1,000 pupils. Each of these schools provides a full range of programs and services. These schools are strategically located in the county; each serves approximately one fifth of the county, geographically located.

The Grey county board has taken the initiative in relation to programs for the gifted. All levels of difficulty are provided for in each of the schools. A special education program, which makes provision for services to all types of handicaps, has been developed and established in each school. We have trainable retarded units in three of our secondary schools. We have a well-established co-operative education program that is growing rapidly and is in its third year of operation. We have established an alternative school. Also, we have a strong continuing education program, which has credit course offerings as well as interest courses.

That gives you a bit of a picture of the range of services and programs available to all the students currently at the secondary level in Grey county, and I believe it emphasizes the importance of bullet 2 on page 2.

Bullet 3 on page 2 reads, "The Grey County Board of Education believes that implementation of extended funding must be postponed until such time as the courts have ruled on the constitutionality issue."

Bullet 4 reads: "The Grey County Board of Education believes that the established time line for initiating extended funding to Roman Catholic high schools does not allow sufficient time for making decisions at the local level in respect of plant, program services and personnel. In particular, there is insufficient time to address and resolve the human issues. Members of all employee groups are experiencing increased tensions growing out of uncertainty."

I would like to emphasize that we need time to work with all our employee groups—to work with them, not to suggest to them—and to work with their counterparts in the other board to come up with the best way of resolving the problem of relocation of staff.

Bullet 1 on page 3 reads, "The Grey County Board of Education believes that the establishment of a Roman Catholic secondary school system may well limit the positive climate enjoyed by students of all religions in the secondary schools of Grey county today." At present, as you can well imagine, there is no

distinction among the secondary school students in Grey county with respect to religion or anything else.

Bullet 2 reads: "The Grey County Board of Education believes that, as extended funding is implemented, the comprehensive and cost-efficient transportation network established in the county will need to be reorganized and expanded. Whether this is done under the auspices of either the Bruce-Grey RCSS Board or the Grey County Board of Education is immaterial. Additional provincial dollars or increased local tax dollars will be needed."

I refer back to the location of our secondary schools today. Our transportation routes revolve around those five schools; we can provide excellent, efficient transportation to them. The separate school established to date lies in the northern part of our county. The present system of transportation would not work to take students entering that secondary school from the other secondary school areas. We would not be able to assist in the transportation. New routes would have to be developed.

The Grey County Board of Education believes that if the full range of sectarian and nonsectarian demands for educational funding are met, it is unclear how Ontario will avoid schools created solely by caste and/or social needs to meet a potentially staggering variety of philosophical approaches. Furthermore, we question if such services to distinct and separate kinds of schools can be funded from the public purse. This plight was made clear in our submission to the commission on independent schools.

On page 4, item 1: the Grey County Board of Education believes that issues surrounding the financing of elementary and secondary education in Ontario must be addressed prior to the making of final decisions on extended funding. We are suggesting that decisions taken or recommendations coming out of the commission on funding would necessarily be taken prior to determining other directions in which such funding should go.

Item 2: the Grey County Board of Education believes that independent schools are discriminatory in nature and therefore deny the concept of universality of access. Our contention is that independent schools currently have the right to establish their own admission criteria. Given that, other people or groups are denied access.

That sums up historically the actions taken by the Grey County Board of Education and the beliefs it has held up until now.

Mr. Cain: At the top of page 5 is the first section I would like to address. During our

deliberations, this board kept coming back to one question over and over again; it has yet to be answered to our satisfaction. That question is stated at the top of page 5: what does this legislation, Bill 30, do to enhance the quality of education in secondary schools in Ontario?

There is no question in our minds as to what it does to extend public funding to the separate secondary school system right through until grade 13. It gives them a separate environment that they deem appropriate for their education system. Beyond that, this board can see only a negative impact on the quality of education, most specifically in the rural setting, the kind of rural setting that Grey county experiences.

Declining enrolment has already had a fairly devastating impact upon the programs and services we offer. We have faced an approximate 15 per cent decline in the size of our schools across the county, and we are still declining. We have not bottomed out as yet. That creates a significant problem for a rural system to maintain a full program for all students and a balance of economically viable class sizes.

Further fragmentation will only compound the problem. We know that because it exists now; particularly in the high-cost technical programs which offer a full gamut to the students, especially at the basic level, who are going to need that kind of program to draw 30 credits as required by the Ontario Schools, Intermediate and Senior Divisions curriculum guidelines. Regarding special education programs: again small numbers and a rural setting are involved, but they are going to be continuing. Legislation says "We shall provide," and we will.

4 p.m.

It is clear to this board there are only two alternatives in this whole process through declining enrolment and further fragmentation with this legislation. Either there will be an increase in the tax burden on the ratepayer within Grey county or we will reduce our level of services. Considering the local and provincial campaigns to keep down the cost of education, there is no doubt in our minds the tax increase will not unduly increase but services will be decreased or cut from what is now offered.

Section iii asks where the financial resources are. That question likewise has not been answered. We have seen any number of numbers in terms of the cost of Bill 30. They have gone from \$40 million up to \$155 million. They still quote very small, low capital costs for any projects throughout the separate school system to meet the needs of expanded programs.

The province has continued to decrease its level of support to secondary education from a high of 59 per cent in 1973 down to 42 per cent in 1983. I will share with you a statistic which has just come out and that you will not have. It is now down, in 1984, to 39.96 per cent, and a fairly significant decline is continuing. We assume that will be the continued direction.

Bill 82 was introduced in 1980, to become fully implemented on September 1, 1985. While the province claimed it was pouring additional funding into education, you can notice the decline from 46.75 per cent in 1980 down to 41.98 in 1983, with the number I just gave you, 39.96 per cent, in 1984. We ask where that additional money is. There has been a decrease in overall funding and a relabelling of existing funds from financial resources from the day school program to support special education.

Now we have Bill 30. We have to ask: are we going through another Bill 82 syndrome? Are there going to be additional dollars to fund this particular legislation? One of the items under way with the Ministry of Education is a redefinition of the full-time student within the system.

We are not a large board by provincial standards, and that one change will cost our board \$284,000 in grants. Is this where the additional funds are to come from? We suggest the 1950s and 1960s era of build, plan and expand are over. We need to plan today. You need to know where you are going before implementation to have a clear view of the financial ramifications. We do not think that has happened.

How will the additional costs of the second secondary system be covered? We hope it will not be through the average day school student again facing cutbacks in programs, with fewer textbooks, computer shortages and shrinking course calendars from which to select their subjects.

We have some problems with the implementation plans. We suggest in the first part of section iv that maybe the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario erred in its understanding of the word "conferred." Because we were required to confer upon the contents of this plan, we think the commission assumed that meant acceptance. It was not acceptance by this board.

We are opposed to the duplication of a secondary system and all its inherent costs and inequities. We list for you four items from the

brief in which we have some difficulties with acceptance. Most of the capital costs, we indicated on the bottom of page 6, continue to have very low capital cost estimates. There are some in our small county.

At the top of page 9, we have limited access to grade 8 pupils to ensure they understand all of the options, programs and offerings available within our system, as well as the separate system so they can make a valid decision. The hiring of staff will continue, as in the past, with the practice of the separate school board giving preference to Catholic teachers.

The admittance of non-Catholic students will be under prescribed conditions with no guarantees. Again, this board has contended publicly throughout all its brief that publicly funded systems must be open to universal access.

The conclusion is that the extension of funding will offer nothing to enhance the quality of education in the public system, but it will cost taxpayers more and dilute an excellent system.

Mr. McKenna: I will deal with pages 10, 11 and 12. With due respect to the committee, we recognize Bill 30 only to discuss its perceived weaknesses. We do not recognize the legality of it.

In the second paragraph on page 10, we indicate that we want fiscal resources to challenge both the bill and the validity of interim funding in the courts. I think it would behoove us to point out why we lack those fiscal resources.

Mr. Cain told you—and it was alluded to by Mr. Leatham—that we do not know where the money is coming from. In this province at the present time, every secondary school board, except three, is spending over the ceiling. Some boards can afford to do that. It costs school boards in the Metro Toronto area \$1 of taxation to obtain a service. The same service costs the taxpayers in Grey county \$22. That is a very real issue to us.

You have heard the items that follow on pages 10 and 11 many times before. You will see, by cross-referencing these articles with briefs from large public school boards and from trustees' organizations, that we are addressing most of the same points; however, I am going to highlight two or three.

Section 136g deals with secondary school grades. We have highlighted cost estimates from the Ministry of Education. I refer you to my opening remarks on over-ceiling expenditure and to the fact that while it will cost \$1 to buy a service in Metro Toronto costs it will cost \$22 to buy the same service in Grey. You must

understand that in rural southern Ontario this financial consideration is one shared not only by the board but also by a significant number of ratepayers in the county.

There are other aspects of the sections that give us some immediate problems. I direct your attention to subsection 136l(16). We are now in a sanction situation with the Ontario Secondary School Teachers' Federation for a variety of reasons. However, a subsection such as 136l(16) points out this question to us: does this article override collective agreements? I know you have heard that before. It is of critical importance to us.

Section 136o is another article that is inherently incongruous with one of the basic philosophical premises of Grey county, namely, universal access. We point out to you that if funding is indeed extended, a section such as 136o should be written in a reciprocal fashion.

Sections 136r, 136s, 136t, 136u, and 136v refer to the planning and implementation commission. As the director of education, I must tell you that the power of this committee absolutely astounds me. At the present time I am of the opinion that this committee has power equal to or greater than the Ministry of Education itself in certain situations. We have found this quite distasteful, and it leaves a significant number of questions with us.

The items that are listed on page 12 have, in part, been addressed in a numbered memorandum. We feel a numbered memorandum that extends interim funding and a variety of other considerations is illegal. We are concerned that this bill, if it is talking about financing education in Ontario, is silent on the topic of adult continuing education. The numbered memorandum is insufficient for doing so even on an interim basis.

We are concerned because there does not seem to be a guarantee of equal access to positions of responsibility in administration for non-Catholic teachers who enter the Catholic school system. We are concerned there may be prejudice in decision-making in the future unless this is guaranteed.

We are concerned about the question of who pays for a secondary school teacher declared redundant because of extended funding and there is no appropriate job for that individual with the separate school board.

We have many questions about Bill 30 and Bill 100. That may be an understatement. We have many questions about Bill 100 given our current sanction situation, but we think the overlap here

is quite insignificant. We do have concerns about congruity in the content of both this bill and Bill 100.

Mr. Chairman, begging your indulgence and the committee's, I will close by reading that last paragraph, and it is read with respect to the committee members, as it should be. It is a rather negative paragraph.

We believe in Grey county, "At the time of writing this brief, the government has acted unilaterally and, in our opinion, illegally in providing interim funding to the separate school system. The Grey County Board of Education can only reiterate that it was aghast at the government of the province of Ontario's recent funding move that continues to underscore the government's disregard for both democratic procedures and respect for legal process."

We would be pleased to answer any questions the committee members might have.

Mr. Chairman: Thank you for taking us through the brief and the additional information you added as you went along.

Perhaps you could answer a couple of questions for me. I am sure other members are not that aware of the demographics of Grey county, although we have two representatives here who are. The Catholic population of Grey county constitutes what percentage?

Mr. McKenna: It is 10.9 per cent.

Mr. Chairman: Concerning the comments you make at the bottom of page 8 about the plans for St. Mary's High School in Owen Sound and Sacred Heart High School in Walkerton, are those expansions taking place now? What is the plan? What has been approved by the commission and what still is just the desire of the Roman Catholic board rather than what is approved by the commission at this point?

Mr. Cain: The expansion of St. Mary's has been approved and is under way. They are purchasing some portables as well to supplement the space. St. Mary's, which is in the city of Owen Sound, was an elementary school and is now being converted and expanded into a full secondary school. It will probably handle the academic stream. We are in current discussions with the separate school board to share services in the technical and business subject areas.

I am not sure whether a program has been approved for Sacred Heart as yet.

Mr. Chairman: The notion would be that they would purchase the shops or whatever from your board at full cost? Basically, is that what you are negotiating with them?

Mr. Cain: That is our understanding. In preliminary discussions they have indicated they will pay full cost for whatever it is. It will be not a purchase of the facilities with their students and teachers coming to our schools, but rather the purchase of classroom space to go into our existing classrooms. Again, that would be the only way it could function. Both parties readily agree the numbers would not warrant a separate class on their part. We also have problems with numbers to maintain classes. We will have to put them together to make viable classes.

Mr. Chairman: Grey is a large county. You seem to feel that with the location of your five schools your transportation grid is as efficient as it need be now, but you are concerned about the deterioration of it, obviously.

Mr. McKenna: Yes. At present, as a member of the Educational Computing Network of Ontario, we use the Rural Ontario Municipal Association software to do our transportation grid mapping and route system. I would give a definite "yes" to your question at this time.

Mr. Chairman: Is there sharing at all with the Catholic board with respect to transportation, computers and so on?

Mr. Cain: There is. Currently, we share a number of transportation routes, but we are not as heavily integrated as they are in the Bruce-Grey separate system of Bruce county. Our numbers and the location of the schools allow us to run fairly independent systems because we are loading the buses.

At the elementary level we have had for many years a shared service at the industrial arts level where they send their students in to use our industrial arts shops.

Mr. Chairman: I have one final question before I open it up to committee members. Of the Catholic population of around 11 per cent in the county, what pickup of the Catholic community kids is going on currently in the Roman Catholic system at the elementary level? How much do they retain at the secondary level? Do you have any idea of that?

Mr. McKenna: We project over the next five years we will lose about 35 to 40 students at the secondary level per year.

It is interesting to note, because we are under sanction, our September 30 statistics at the secondary level are a bit vague. We are the first board to have a sanction over the accounting period. But it seems to us that in this first year of operation, and looking at how many students we

are losing, we might be just a bit under the projected 35 or 40.

At the elementary level I think we are like every board in the province. The issue is too new even to guesstimate ball-park figures concerning the loss to the separate school system in kindergarten to grade 8.

Mr. Chairman: Are there questions by the members?

Mr. McKessock: Even though the Catholic numbers are small in Grey, I take it because Grey is a rural area, you feel it is going to have an impact as great as or greater than in city ridings where they can combine schools or what have you. Here, when you lose a few it is going to have a big impact on your future?

Mr. McKenna: There is no question about that. The average size of our secondary schools, as noted in the brief, is about 911. More specifically, we have a school of 1,200, a school of about 1,050, a school of about 960 and two other schools a bit below that. I think experience in the province tells us that once a school reaches that critical 900 to 1,000 size, many of our options fall into jeopardy because of potentially low enrolment.

The immediate answer is to run the course anyway, but I come back to one of our very soft spots in Grey county. That is over-ceiling expenditure and the fact we must raise \$22 on the shoulders of the taxpayer that \$1 in Metro Toronto would raise. It is so critical to us that we underline that per capita income in Grey county is the second lowest in the province relative to other defined counties; it is critical for us.

We certainly cannot run secondary school courses in each of our schools that are not economically viable because of this tremendous over-ceiling burden we face.

Mr. McKessock: You touched on busing. I wonder how you see this affecting busing. Is it because you are going to have odd pupils now spotted through the county for which you are going to have to provide busing? Is this going to add to the transportation costs?

Mr. Cain: The county, as we have indicated, is quite large geographically. Our buses will continue to run their routes; one or two students pulling out are not going to affect those runs at all. No doubt they will allow us to share, especially if they are coming into the Owen Sound area and they have bus routes coming into the Owen Sound area.

By the nature of schools in the separate system, their geographical drawing area is bigger

than ours. In the town of Meaford on Georgian Bay, as we are busing children in, the separate school is busing children out in the other direction to get to Owen Sound, which is their closest high school.

There will be an increased cost. In our mind, there is no question of that, with that separate secondary school sitting in Owen Sound.

Where they draw pupils out of our own drawing area into Owen Sound, we can share buses at no additional cost, but their drawing area overlaps several of ours creating travel in opposite directions.

Mr. Allen: I add my welcome to you people from the Grey county board. I would like to get the picture a little bit more clearly in my mind with respect to the structure of Roman Catholic education as it exists in Grey county.

4:20 p.m.

You have indicated that 10.9 per cent of the population is Roman Catholic. At best estimates, what percentage of the Roman Catholic population appears to patronize the elementary schools of the Catholic system from grades 1 to 8, forgetting the secondary program for the moment?

Mr. McKenna: I would guesstimate at this time—with the emphasis on guessing—less than a half. We can easily pick that information up, but unfortunately we did not bring it with us.

Mr. Allen: Okay. So it is a fairly substantial group that might be attracted into those elementary schools in your area once completion is a fait accompli?

Mr. McKenna: Down the road, I would suspect so.

Mr. Allen: That makes your area somewhat different from a number of others we have had discussions with in this committee. Likewise, with regard to the high schools, have either or both of them been in place for a long time? What grades do they currently offer?

Mr. Wright: Walkerton has been in business for some time; Owen Sound just started grade 9 last year. We never had a separate high school per se in the county before September and then it was only one grade.

Mr. Allen: I see, and the other high school has grades 9 and 10, or does it have a private dimension to it that adds the additional high school grades?

Mr. McKenna: No, it does not have a private dimension at this time, and it is a grades 9 and 10 school.

Mr. Allen: I see, so the high school program the Catholics offer is limited, in other words.

Mr. McKenna: That is right.

Mr. Allen: The chairman asked you a question or two about sharing. I did not know whether there was anything more you could add to that issue, concerning services on which the two boards work or are contemplating working on together.

Mr. Leatham: We have just had meetings with officials from the Bruce-Grey County Roman Catholic Separate School Board dealing with program credit purchase, if you will, and that is coming up with the criteria under which we would provide pupil spots, mostly in technical programs. That is just in the planning stage now.

Beyond that, as Mr. Cain mentioned, we have been co-operating on the provision of industrial arts and family studies programs at the elementary level. There has been significant co-operation in the area of transportation. Does that answer your question?

Mr. Allen: If that is the picture, then that is the picture. With regard to the 35 to 40 student loss per year you speak of, is that roughly the loss you think happened this year with the opening of the new school?

Mr. McKenna: Based upon the enrolment in grades 9 and 10, yes.

Mr. Allen: That is your estimate.

Mr. McKenna: About 35 for Grey at the present time, in St. Mary's and Owen Sound.

Mr. Allen: Did that displace any public secondary teachers?

Mr. McKenna: Not at this time. The loss occurred predominantly in the community of Owen Sound where we had two secondary schools, which are the largest secondary schools in the jurisdiction. I would not hesitate to suggest the 35 students were spread about equally between the two schools and we did not suffer, in this first school year, any loss of staff persons as a direct result of extended funding.

Mr. Allen: Do you have an agreement with the separate board about the take-up of designated displaced teachers?

Mr. McKenna: We had an informal agreement worked out for the implementation plans submitted this past February or March. We will formalize it subsequent to the November election when a new board comes in and has a chance to study that agreement. Both boards in both administrations are anxious to formalize it. We

had no problem whatsoever in coming to grips with the rather detailed process we have on paper.

Mr. Allen: Is your process roughly analogous to that of the bill?

Mr. McKenna: It includes the potential for a two-way street. We emphasize secondments as well as on-loan placements, and a variety of other attempts to begin to trade staff back and forth. I suggest it goes significantly beyond Bill 30.

Mr. Chairman: Those kinds of suggestions come up a lot during the hearings and are things which I think will find their way into the amended legislation once we get around to amending.

Mr. McKessock: Just one more question. I understand you said Saint Mary's in Owen Sound only had grade nine last year and Sacred Heart High School in Walkerton had grades nine and 10.

Mr. Wright: Grade 9.

Mr. McKessock: Did either of those schools take on grade 11 this year?

Mr. Wright: Walkerton has had grade 11 and 12 under a private school setup parallel to the Catholic school.

Mr. McKessock: Has Owen Sound taken on grade 11 this year?

Mr. Wright: No, grade 10.

Mr. Chairman: Under the process they could take on only one year at this point. Since they only had grade nine before they would have been permitted only to take grade 10. Do I understand that in Walkerton, where they had the private system cutting in at grade 11 before this, they did take over grade 11?

Mr. McKenna: That is correct.

Mr. Chairman: I was not clear on that.

Mr. McKessock: They are teaching grades nine, 10, 11 and 12 in Walkerton but getting funded up to grade 11.

Mr. McKenna: Actually, they are also including grade 13.

Mr. Offer: I have one quick question. Would you please explain what you meant by teachers on loan? Did you have trading, loan and secondment arrangements?

Mr. Chairman: They put people on waivers, as well.

Mr. Offer: Or future considerations? I just wonder if you might expand on the loan arrangement.

Mr. McKenna: Let me be quite specific about the language we will have in the written agreement. We will have unlimited secondment, a defined term of secondment and an outright transfer of one teacher to the other system, as would be normal under this process. We will also consider any innovative idea from both federations, both trustee groups and both administrative groups to flesh out that article entirely.

Mr. Offer: But what is to hold their federation membership with respect to that?

Mr. McKenna: That is the federation's problem. It is not a broader administrative problem.

Mr. Offer: Have you discussed with your coterminous board the possibility of voluntary transfer, up to the teacher, and what not?

Mr. McKenna: It is not yet on paper, but the answer to that is yes, it has been batted about under that generic heading.

Mr. Offer: With respect to the consultation between you and the coterminous board, is there a formal liaison committee set up? What do you do? Do you just sit down or are there certain groups of individuals within the boards who meet?

Mr. McKenna: The chair and vice-chair of both boards, the directors of both boards, and in each of our cases the superintendents of operations and business, meet. The separate school board does not have a superintendent of operations but does have an academic superintendent doubling. It is really our half of the committee you see before you. The separate school board has the appropriate individuals to match us.

Mr. Chairman: Do you have any final comments you would like to make before I release you?

4:30 p.m.

Mr. Wright: As I said at the beginning, we appreciate having the committee members hear us; particularly on a day such as this. We think we have some valid information in our brief. We have tried to keep it as short as possible. We have worked long and hard on it. We know we can count on the committee to give it serious consideration and study. If there are further questions, or any doubts, or anything you would like to raise, please feel free to contact our office in Markdale.

Mr. Chairman: I want to let committee members know that Mr. Leatham is the last person who will be smoking in here today. That is because I did not make the announcement

before he started; and I could not stop him halfway through. We will revert back to the healthy fanaticism of the chairman from this point on.

Mr. McKenna: We do not let him smoke in our rooms.

Mr. Chairman: I would have cut him off immediately if I had known that.

Our next presenter is Mr. David Dehler, from Ottawa. It is item 808.

Have a seat, sir. We have your presentation before us; with the addenda you have included.

DAVID DEHLER

Mr. Dehler: I have filed the brief today. I know you have not had time to read it. I am here because I have been concerned with this problem through the years, since 1965; that was when the University of Ottawa was sold to the province and turned into a government-owned university, as opposed to a private one. I was involved with it as a candidate for the Tories in 1975 in Ottawa East. I have had a continuing interest in it.

As a Roman Catholic who has raised children, I am here to oppose the funding in principle. I have had the opportunity to read the presentation by the former Premier. I understand he thought at the time he announced the extended funding, that it was a matter of his conscience. He thought it was the right time. There was also talk, throughout his presentation, about rights, and children and so forth.

I come to object to the funding at this point in time. There is no equitable reason to extend funding now, unless, as I set out in the first recommendation, there is a new funding formula to fund all schools that meet basic educational requirements. I would submit that if we are to talk about rights, either the Roman Catholic separate schools can found their claim to further funding in constitutional law or they cannot.

If the Roman Catholic separate schools are entitled to full funding under the Constitution Act 1867, in the manner being argued—and set out in the “whereas” to your bill—then you must acknowledge that you are doing it as a matter of constitutional obligation. That would have no strings attached, including asking the Roman Catholic separate schools to abandon their own position that they are denominational schools, rooted in the Roman Catholic religion, requiring teachers to be Roman Catholic in outlook as well as behaviour.

In this brief, I have put together information material I hope you will digest in context of the position of the Roman Catholic church in relation

to its claims over the separate schools, as expounded to me by Archbishop Plourde in Ottawa in correspondence, together with material he sent me with his letter. I do not point this out to create further division, but rather to try to enlighten a fair approach to this whole issue.

I listened to the people before me. I can see the administrative problems that are starting to build up. I can see, for example, even in the bill, contradictions that go right to the heart of what is at stake here. On the one hand, the "whereas" clause in the bill states these are facts that led up to the statement made by the former Premier. If the "whereas" clause in your bill is true, you are saying in the preamble there is a constitutional obligation, at least according to the spirit, as it says in the recital, to give Roman Catholic separate schools full funding.

On the other hand, you are telling them they must forgo their existing constitutional rights to fire people who are already employees and Roman Catholic but who choose to remarry, not in front of a Roman Catholic priest but in front of a Presbyterian minister, and are fired, as in the case I set out in the brief. You are, therefore, going to create two sets of teachers in the Roman Catholic system, if Roman Catholics accept what you are asking them to do, which is to take non-Roman Catholics into the system.

Under the law they will be able to live and think as they want because of the clause in the bill which says there will be "no discrimination on the basis of creed." On the other hand, if a Roman Catholic teacher happens to have a different point of view on certain matters of creed or changes religion in midstream and says, "I am now a Presbyterian" or "I have embraced the Jewish faith," that Roman Catholic can still be fired but the non-Roman Catholic brought in from a public school cannot.

You are creating monstrous problems which will result in avoidable litigation. I do not think legislation should be enacted which results in avoidable litigation. If you read the brief, you will see a fundamental contradiction at work. I cannot put my finger on it, but it seems to be that if money were offered as an inducement for further support, Roman Catholics would say, "Yes, we will do these things," but the official position is that these things should not be done because they are contrary to the idea of a denominational Roman Catholic system.

As I outlined in my letter to the Minister of Education (Mr. Conway), we want to be fair. Beyond grade 10, you are asking for a handout denied to others who can make the same

legitimate claim that you can make. Regardless of the historical approach that the former Premier tried to develop, I do not think historically you can make a case for it.

If it is your position that the preamble to your bill is true, there should be no conditions attached. If you are acknowledging a constitutional right to the extended funding, you should at least delay what you are doing until the court decides. If the court says there is no such constitutional right, but neither is there anything prohibiting you from extending it on your own, then I say, "Do not extend it unless you are prepared to give fair treatment to any other schools that meet the basic requirements." That is the gist of my submission.

4:40 p.m.

Recommendation III is evidentiary: I think you should invite Cardinal Carter or Archbishop Plourde to testify. They can turn it down, but in the light of what you have before you in the brief, they might be able to explain their position on what they claim as their rights as a hierarchy and as a school board over their own, and on the whole theory of the Roman Catholic system *per se*.

They might also explain how they can say they will admit non-Roman Catholic teachers into the system and what they intend to do if these non-Roman Catholic teachers adopt a public lifestyle with which they do not agree. Why is there going to be a double standard? How can they admit them in the first place? They may have an answer, but I do not know what it is. This committee should be informed fully in order to know where this is going to lead in trying to avoid litigation in future. That is all, to come to it directly.

Recommendation IV is also evidentiary. You should have the Attorney General (Mr. Scott) testify as to his view on the funding that I understand is going on now by order in council in the absence of constitutional legislative authority. I do not know how that is done, although I have seen it done at the federal level. I know they do it and justify it subsequently.

That is not the point. The point is the advice he is giving to the Minister of Education. If he claims solicitor-client privilege, I rather doubt it. My understanding of the situation is that the Attorney General is responsible for giving advice to government departments and the departments are responsible to the Legislative Assembly. They must at least say what they are being told by the Attorney General. Why not ask him to come

in and tell you his position on immediate funding?

That is the essence of my presentation. I will hear any questions.

Mr. Chairman: Thank you. On the latter two points: procedurally, it is a little awkward for us to extend invitations to people when we have had an open process where people can make it known they would like to present themselves. We made an exception in the case of the former Premier, but it is quite an unusual thing for such a person to appear.

The difficulty in extending an invitation to an individual bishop or the cardinal is that there is an anomaly. The system is separate. The elected members of the Catholic school boards are the people with whom we should be dealing directly. I take at face value exactly why you are saying we should invite them to come before us.

With respect to the Attorney General, we have asked for that information and have not received it. We might consider having him come before us to get it from him. On the other hand, I gather a court process may be undertaken very shortly on this whole matter. If that is the case, he would make his presentations before that court sub judge rather than here. If that injunction goes ahead, we will find out that way.

We have been informed by the Minister of Education that the Attorney General believes he and the government can proceed on this basis. As you say, it has been done federally for a number of reasons in the past. We hear of people continually having a great deal of difficulty with that and the courts may rule otherwise shortly.

With respect to our own procedure, the committee may finish its work, or will seem to have finished its work, before the court has ruled, but the House will not pass third reading until the ruling comes down. If that ruling advised the government the legislation was not quite constitutional but could be with a certain amendment, it could be sent back to this committee for a further amendment.

In fact, this committee might decide it does not want to do clause-by-clause amending until the court decision has been made. The process will not be concluded before the courts have made their decision.

Are there questions from the committee members for Mr. Dehler? No? May I ask you one thing? What was the outcome of the case you included here on the teacher? I gather you were representing her.

Mr. Dehler: No, I was not. I was just incensed to read what I read. The only thing I did was

consult her lawyer at one point to ask what was going on. I only read it in the newspaper. He told me he had things in hand so I do not know the outcome of any settlement. The matter was just dropped.

I had further correspondence which I did not bother putting in here because it was not germane to the issue I am raising. I was not involved, but I was interested. I let matters drop because she had her lawyer, so I do not know what happened.

Mr. Offer: Thank you for your presentation. I am having a bit of difficulty trying to understand exactly where you are coming from. It seems to me in your brief you are saying, "If the extension of funding is so granted it must go without condition."

Mr. Dehler: I think so. If your position is that you are constitutionally bound, obviously it has to be without condition. That seems to be what your preamble says, the spirit of 1867.

If it is not, why do you give preferential treatment as a matter of equity? I see nothing wrong with saying to Roman Catholic school supporters, having read the former Premier's presentation: "You have had 10 years of it, which is pretty good. Now there is a transition period before you go into university and you are going to mix with the public system. You are going to see there are some pretty nice people out there in the public system. You are not going to be contaminated or bothered because you are going to continue the last three years in the public system."

Then if it is true—for example, in the "whereas" clause at one stage you say, "It is recognized today that a basic education requires a secondary as well as an elementary education;" then you move into the spirit. Suppose we say basic education involves a university education. Then they say, "Stick up to the spirit of what you did here and we would not have had to close down the University of Ottawa, so let's start funding into the university structure as well."

I think, as a matter of equity, no case can be made for preferential treatment beyond the constitutional argument. I happen to be a Roman Catholic and I think the Roman Catholic schools are fine. They do a good job and do what they are supposed to do. That does not alter the fact that this is, like it not, an issue of the relationship between church and state. It is also a question of the position government should take in relation to this or that particular group which has an interest. That is all I am saying.

Mr. Offer: In your first recommendation you talk about a youth funding formula. What do you mean?

Mr. Dehler: I did not want to get into it but I am saying on page 2 of my letter to the Minister of Education that we are moving into the 21st century. We are not in the 19th century. Things have changed immensely. There should be a fresh approach on the whole question of education, which I raise on the fourth or fifth page of my letter.

What is the whole educational process all about? We know there is a difference between schooling and education. Education is lifelong. I remember the words of Northrop Frye as quoted at a great Anglican Church on Elgin Street in Ottawa. They have great quotations. The one that is up there now is Northrop Frye saying, "Education is not filling a pail but lighting a fire." That is very true.

Once you start extending and extending, you get more concerned with the administration of education than with education itself. I saw that when they sold the university. In regard to the funding formula, I am merely saying, "Let's stop and have a fresh look at what we are really doing in the educational field."

If there are people who have their private schools or their alternative schools and they meet the goals proposed by the government and its

education policy, why should they be deprived of the funding you would give to Roman Catholic schools, unless Roman Catholic schools have the constitutional right too?

The minute you admit they do not, how dare you distinguish and give preferential treatment to them simply because they happen to have by constitutional right schools up to grade 8 and by the largess of the province up to grade 10? Times have changed. Other people are involved in education. They do not have a monopoly. There are a lot of good educators in the other schools. You should recognize that as well.

Mr. Chairman: Any questions from the other members? You are very articulate, Mr. Dehler, and provocative as well. I appreciate your taking the time to come. We did not put a QC on your name on the list but I do not think you are the type of person who requires it.

Mr. Dehler: I am quite happy to have been permitted to come and I thank you very much.

Mr. Chairman: We appreciate it. The committee will adjourn now and reconvene tomorrow morning at 10 o'clock.

The committee adjourned at 4:50 p.m.

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- McKessock, R. (Grey L)
- Offer, S. (Mississauga North L)
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 - Cain, B. F., Superintendent of Business and Treasurer
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 - Wright, A., Vice-Chairman
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No. S-66

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, October 16, 1985
Morning Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 16, 1985

The committee met at 10:08 a.m. in room 151.

Mr. Chairman: I see a quorum and call the meeting to order. I ask members to pass back to their respective whips the fact we like to start promptly at the hours appointed and do not want to get into our normal legislative habits of starting 15 minutes late. If members would please indicate we want a quorum here at the hour, that would be appreciated.

Our first presentation today is from the Huron-Perth Roman Catholic Separate School Board, Mr. Eckert, Mr. Devlin and Mr. McCaulley. They have given us a fair amount of material, as you will see. It is exhibit 604 plus some background material to give you a better understanding of what things are like in Huron-Perth.

How you take us through it is up to you and I will leave that in your hands. Once you finish, we will open it up to questions.

Mr. Devlin: Mr. Chairman and members of the standing committee, on my right is John McCaulley, superintendent of education at the Huron-Perth Roman Catholic Separate School Board. He is working out the details and planning the implementation of our anticipated Catholic high school in September of 1986. On my left is Bill Eckert, Director of Education, who will make our presentation, after which all three of us will attempt to answer any questions you might wish to put.

My name is John Devlin. I am a trustee with the Huron-Perth Roman Catholic Separate School Board and chairman of our separate school planning committee.

Mr. Eckert: Mr. Chairman, before I go into the brief of which the members have a copy, I would like to make some introductory comments. Then as I move through it I will make additional comments which have to do with the brief but are not contained directly therein.

The Huron-Perth Roman Catholic Separate School Board welcomed the announcement of the government's intention to permit Catholic school boards to establish a full range of elementary and secondary education as a part of the public system and to fund it accordingly. We are very happy for the opportunity it affords our students to begin and complete their secondary

education in Catholic secondary schools. We are very pleased, therefore, to appear before you today in an expression of thanks for the opportunity to comment.

The board took advantage of this just and historic opportunity to determine whether Roman Catholic parents and ratepayers in our jurisdiction would support the re-establishment, should I say, of Roman Catholic secondary schools in central locations. We have provided for committee members a small package of material that might give them a better understanding of the situation as it has developed and is developing within our school jurisdiction.

We have added to the list you see on the information package index a fold-over pamphlet with an abstract map of Huron and Perth which is a rather graphic depiction of our two county systems.

Also in the folder is a ratepayer survey form which we used and a sheet showing tentative program offerings in a Catholic secondary school in Stratford. There are a couple of newsletters which went out to parents and ratepayers; one I have called Planning for the Future, and the other is a series of questions which arose in the public meetings held throughout the two counties which have been answered by the board.

Also enclosed for those who might be interested is a brief history of Catholic education in Huron and Perth. We have developed and enclosed for your information a position paper relative to the redundancy question, which we would use as a base of discussion within our system and with our coterminous boards.

There are two pages showing the projected enrolments of Catholic secondary schools if they were established. Those figures at the top show the numbers of students who might attend if all Catholic students from the county attended. At the bottom of those pages it is broken down into 100 per cent attendance, 60 per cent, and 50 per cent. So it is a very quick overview of the kinds of numbers that would apply to us.

Also enclosed is the last system newsletter we published which contains the final report of the planning committee on secondary schools in our jurisdiction. We have made that report available. We have also added a map showing the county boundaries and the geographic area covered if

two 20 mile circles were drawn with Clinton in Huron county and Stratford in Perth county as their centres. It gives you a very quick idea of how much of each county can be covered geographically in a 20-mile radius.

We are a small Catholic board that is predominantly rurally based with approximately 2,700 pupils. Our largest centre of population is the city of Stratford with 27,000 people in Perth county and the town of Goderich with a population of 8,000 in Huron county. Our 19 elementary schools, housing students from kindergarten to grade eight, are small and spread through towns and rural hamlets in a rough rectangle stretching from St. Marys to Listowel, to south of Kincardine and north of Grand Bend, along the Lake Huron shoreline. The city of Stratford is central to Perth county and the town of Clinton is the most central location in Huron county.

It is ironic that here in the rural heartland of Ontario, where Catholic secondary education had early roots, we have been unable to operate any secondary schools for the past 25 years. Unfortunately, in the 1960s, when the Robarts plan introduced rather costly technical studies programs into secondary schools, a number of Catholic boards, such as our predecessor—the Stratford board—which was operating grade 9 and 10 on the basis of elementary level funding, were unable to establish or maintain such costly programs.

Faced with the prospect of underfunded academic programs and unfunded technical programs, trustees of the day wisely began to offer programs only to the end of grade 8. Unfortunately, there was no special committee struck to study the impact of the displaced teachers and students and the dismembering of the school system. Rather, there was a quiet resignation to the fact such entities must cease to exist, as all such mere grade 9 and 10 entities were doomed to discontinuation.

With those introductory comments, I would like to move directly to the contents of our brief, of which each member has a copy. We state at the beginning that it is our understanding the standing committee on social development will be receiving more comprehensive presentations from the board's associated provincial body of the Ontario Separate School Trustees' Association, as well as from other affiliated Completion Office Separate Schools members, such as the Ontario English Catholic Teachers Association and the Ontario Catholic Supervisory Officers' Association.

This board therefore wishes to be brief. However, we would like to go on record with this committee as believing our submission to the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario supports the intention of Bill 30. We also believe Bill 30 has the potential to be the vehicle by which long-standing educational rights of the Catholic community of Ontario, as guaranteed in the British North America Act, are recognized and made workable.

We support Bill 30 strongly because we believe it is intended only to enact rights which already exist. We also believe that should Bill 30 be enacted in its present form, it would not conflict with plans we have filed with the planning and implementation commission and for which we anxiously await approval. We make this statement because we believe and trust that it is the intention of the Legislature to secure for Catholics the rights they have and at the same time maintain a strong nondenominational public school system.

This board has delayed implementation of secondary school programs until September 1986, to allow us to communicate effectively with our parents and ratepayers and to attempt meaningful dialogue with our coterminous boards of education. The results of a recent board survey were quite positive and went a long way toward helping this board make the decision to establish a Catholic secondary school in the city of Stratford in Perth County.

Before I get into the results of that survey, and I am moving away from the brief, I would like to explain that in the fall of 1984, the board established a secondary school steering committee composed of trustees, parents, priests, administration and teachers to study the feasibility of establishing Catholic secondary education in our jurisdiction. In brief, that steering committee stated as its main recommendation:

"...that optimally the board realistically might expect to establish two Catholic secondary schools...to serve the majority of students in the two counties. When establishing locations, it is recommended that the appropriate objective might be to locate where the least number of student bus-kilometres need be travelled to serve the largest number of students."

To move one step further, the board next established a Catholic secondary school planning committee. Its specific purpose was to plan for Catholic secondary education in Huron-Perth. There were 16 members of this committee and it

likewise consisted of trustees, parents, priests and administrative representation.

The committee worked diligently throughout the fall, the winter and the spring, and held meetings in various parts of the counties informing parents and ratepayers about the philosophy, programs, accommodation, staffing and financing that might surround a Catholic secondary school.

10:20 a.m.

As a result of a survey distributed to ratepayers in April 1984, the board determined it would be feasible to establish a secondary school in the city of Stratford in 1986. A decision in regard to a secondary school in Huron county will not be made until 1988.

So, the survey, and here I am getting right back to the brief you have, page 1, paragraph 3, contained many comments made by parents who wanted their children to attend a Catholic secondary school and those who wanted a Catholic secondary school for their children, but who for various reasons could not send them to Stratford. These comments were rather encouraging and informative. A summary of those comments is attached as Appendix A.

Most importantly, the survey told the board a significant number of Catholic ratepayers and parents were supportive of the move to re-establish Catholic secondary schools in the jurisdiction. Through their comments and signatures, they encouraged this board to proceed as quickly as possible, so the opportunity would be made available to as many students as possible. I hope committee members will take the time to read the comments of the parents and thus permit them to speak for themselves.

A few examples from the brief, in Appendix A, on page 1: "We live in" and a small community outside Stratford was named here, "...and just cannot justify busing our daughter to Stratford. The distance is simply too far. However, we are impressed with what makes the Catholic school unique. These areas of development are exactly what we want for our daughter. We just wish the school could be closer."

Another quote, on page 3: "I have always wanted to send my children to a Catholic high school and I am very happy my youngest children will be able to attend."

Again on page 3: "We have grandchildren we would sure love to see attending a Catholic high school." On page 4: "We would support fully a Catholic secondary school, now that we have a chance to have one."

To return to the brief, some people are claiming the establishment of a Catholic secondary school will have an adverse effect on public secondary education. We simply do not believe that to be true. We are establishing a Catholic secondary school in Stratford where 2,400 students currently attend two secondary schools.

In the initial year, 1986, according to our survey, 64 Catholic students will attend the secondary school in grade 9. By 1991, it is estimated that 450 students will be in attendance at the Catholic collegiate, grades 9 to 12 of the Ontario academic course. It seems obvious this board's decision will not affect significantly the ability of the board of education to offer viable programs to the remaining students.

Concerns were expressed regarding the continuation or the establishment of some programs in the smaller, public secondary schools located outside Stratford, long before the matter of the extension guarantee was put forward by then Premier Davis. Care should be taken, in our view, not to assign undue blame to any perceived effect extension may have on program offerings in existing secondary schools.

To try and give additional perspective regarding the relative size of schools in our area and the effect on programs, let me make the following observations, and this is outside the brief. Most other secondary schools in Huron-Perth are larger in size than the Catholic secondary school we are planning. However, existing public secondary schools within our two-counties range in size from relatively small units of 370 located in the town of Seaford, to quite large units of 1,200 plus, which of course are located in Stratford.

Concerns regarding ability to offer program variety are somewhat diminished when the calendar of program offerings at the school of 370 and the school of 1,200 are compared. Quite naturally, in the school of 1,200 there is a greater variety of program offerings within the senior division program areas of social sciences and maths. Likewise, special Ontario academic courses or grade 13 level courses in additional specialized areas like anthropology and economics can be offered in the larger school. But both schools, in spite of the large difference in size, offer the required core programs and a variety of options.

Interestingly, the public collegiate of 370 students offers German, film arts and grade 13 physical education while 25 miles away a collegiate of 600 plus does not. Likewise, the collegiate of 370 continued throughout the past

decade to offer courses in art and instrumental music, whereas the school of 600 plus added these courses in September 1984 after an arts credit was mandated by the Ministry of Education. Like the smaller collegiate in Seaforth, St. Michael Catholic secondary school in Stratford will offer a solid core of mandatory subjects with a reasonable variety of options in maths, social sciences, sciences and the arts.

As stated in our plan for secondary school programs dated May 21, 1985, it is our hope and intention to purchase additional courses from our coterminous board. Here I am referring, of course, to technical education and some business courses.

To return to the brief, the next section deals with putting the extension question on the ballot in municipalities. Since I understand that the deadline for passing a bylaw in that regard is now past, I will not refer to it other than to say that we, too, think it a truly dreadful idea.

Initial indicators are that very few Catholic students or those from other denominations living outside the area regularly serviced by Stratford secondary schools will opt to attend the Catholic secondary school. As a result, there should be minimal if any effect on the smaller secondary schools in Perth county in terms of program, staffing and the like.

To elaborate on that point perhaps you would refer to your maps at this time. Let me state that 64 students are expected, on the basis of the survey, to attend in grade 9. The semi-abstract graphic map would probably be the best one to look at here. A breakdown of these figures shows that 42 will be from the city of Stratford, eight will be from the Kinkora area, two will be from the Hesson area, six from the St. Marys town area and six from the Dublin-Mitchell area.

We have been unable to ascertain yet from the Perth County Board of Education the expected teacher redundancy that would result from the shift of 64 students. What we do know is that if 64 grade 8 students had been retained this year, no redundancy would have resulted. In addition, we have developed a position paper enclosed in the package for discussion and, we hope, a decision on the matter of a process for the determination of redundant teachers, should there be any.

It is our desire to work in a spirit of goodwill and co-operation with the boards of education to provide a quality education to students in the jurisdiction. On our part we intend to keep the lines of communication open and to buy and sell programs and services where practicable. Our

previous briefs clearly outlined that staff displacement and other related matters need not be issues of contention but rather examples of that co-operation and goodwill.

I will conclude by reading into the record a few additional comments that come from the parents of Huron-Perth:

"We believe that a secondary school would be a much-needed and appreciated asset to our system. Its benefits would be far-reaching, filtering down to the elementary level and affecting both students and parents. Do not let this opportunity slip by."

Here are some more interesting comments:

"If perchance a high school is not established, will transportation be provided to a Catholic high school in a neighbouring county?"

"There is often a need to step back a little and give up something worth while."

"I am very glad we will have a Catholic secondary school."

10:30 a.m.

"I am eager to have my children attend the Catholic high school and I will help in any way to ensure that we get it."

Mr. Chairman, I hope that getting to know our jurisdiction and our situation in Huron-Perth might help you and your committee members in your deliberations on Bill 30.

Mr. Chairman: Thank you, Mr. Eckert, Mr. Devlin and Mr. McCauley. As a little extra information, what is the Catholic population of the two counties as a percentage?

Mr. Eckert: It is approximately 18 per cent.

Mr. Chairman: Is it about the same in both counties or is one higher than the other?

Mr. Eckert: I do not think we could tell you exactly what the difference is county to county. I can say that we believe it varies from about three per cent in local areas to almost 40 per cent, the average in the two counties being approximately 18 per cent.

Mr. Chairman: There is no private school capacity at the moment for grades 11, 12 and 13 within the two counties, as I understand it. Are there students who go to other private schools outside the two counties at the present time? Do you have any idea what the numbers are of those kids who now travel outside the county?

Mr. Eckert: There are a few. If I were to hazard a guess, I would say that within the two counties there may be somewhere between 10 and 15 students.

Mr. Chairman: Where do they go?

Mr. Eckert: For the most part, London. Most often they are male and they attend Regina Mundi College.

Mr. Chairman: I have a question on the interaction with the public board. There were a couple of references to interaction. Can you give us the status of your suggestions on staff displacement, how much communication there has been with your coterminous board and what kind of sharing currently goes on with the boards, whether it has to do with transportation, computers or other kinds of things?

Mr. Devlin: So far we have had a couple of meetings with the Perth county board and a couple with the Huron board. Since we are proceeding only with the school at Stratford, we have paid more attention to the Perth county board because that is where the school will be. We already have co-operation in the field of busing; we use buses for the elementary schools in the two systems. We buy special education and sell it as well.

Mr. McCauley: The other area that is predominant is professional development for teachers. We have in plans in a variety of ways over the years shared in professional development for teachers the cost, the program and those sorts of things. I would say that, to date, in those areas identified there have been good examples of co-operation with the boards.

In addition to what Mr. Devlin mentioned, and he was referring to meetings of trustees, there have also been a number of administrative meetings to date with the Perth County Board of Education.

To answer your question specifically, we have no definitive answers at this point with regard to redundancy and whether the Perth board and its Ontario Secondary School Teachers' Federation affiliate will accept the position paper as outlined, so more meetings are in store.

Mr. Chairman: I have a final question just to be clear. Are the two tables of your projections of possible enrolments based on 100 per cent Catholic attendance?

Mr. Eckert: The figures that are given to you show what 100 per cent attendance would be, but that is not what we are projecting. I think I would defer to Mr. McCauley.

Mr. Chairman: How have you worked out what your pickup would be?

Mr. McCauley: First, our survey, which Mr. Eckert referred to, indicated that we would pick up about 40 per cent of the Catholic population of Perth county. We think that with our principal in

place beginning in January it will peak at about 50 per cent.

We have looked at the track record of small Catholic boards that have entered into secondary programs, and between 40 and 50 per cent seems to be about the starting point, with it peaking at about 70 per cent of the population by the time you get to grade 13. We are hoping to come within those figures.

Mr. D. R. Cooke: I got the figure of 64 students to start out of 144.

Mr. McCauley: That is correct. We think it might be about 72, which is the number we had predicted with the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario.

Mr. Devlin: If I may comment on that number, I think the chief reason for that discrepancy is not that they do not wish to come but rather that we are often dealing with distance. As those parents indicated, they would like their kids to come, but they are not going to put them on a bus for 25 or 30 miles. It is a fact of life, and I think it explains the big discrepancy.

Mr. Offer: Thank you for your brief and your presentation. It is very nice to be given maximums so we can get some idea of the particular area with which you are concerned.

In your brief I note that you refer to the perceptions of parents about what the Catholic or separate school is to provide. That was on the basis of the questionnaire. Was the questionnaire sent out to everyone in the area or was it mainly to separate school supporters? It was not clear from what you were stating.

Mr. Devlin: It was sent to all the separate schools, to all Catholics and to all those who might be interested in it. They were not distributed to those who would not be sending students.

Mr. Offer: I wondered whether you were looking at the perception of the implementation by those who were not separate school supporters. It was not very clear.

Mr. Eckert: I will comment further. The questionnaires were sent to separate school ratepayers and to the parents of children who are in our separate schools. I believe about eight per cent of our student body is other than Catholic. The survey was trying to determine what proportion of the separate school ratepayers was interested in the establishment of a Catholic secondary school. Were we interested in asking

the question of the other group? The answer is no.

Mr. Offer: I am just getting to my question, actually. In your presentation you have not dealt directly with any particular point in the bill itself. I would like to direct your attention to the possibility, with respect to redundancy, of non-Catholic teachers who are declared redundant because of the implementation teaching in the separate school system. I am just talking about under the bill itself. I wonder whether, in your view, that would affect the catholicity of your particular system.

Mr. McCauley: I might start by saying that, on the basis of the track record that we believe we understand from the Perth board, with natural attrition we are looking to hire only five teachers in our first year. So we believe and hope that this will take care of the particular concern you raised.

That said, we have gone on record with the planning and implementation commission that teachers displaced because of completion would be welcome through the normal interview and selection process that we currently undertake to staff the school. We do have some concern that if we were hiring five teachers—for example, if five teachers were displaced—we would have a Catholic school in which the only Catholic staff member was the principal. That is a very real concern of ours, and we hope that in some manner or form the legislation might be able to help us address that problem, should it occur.

10:40 a.m.

Mr. Chairman: I have never heard that one before. It is something new.

Mr. Offer: I am sure there is a supplementary there, Mr. Chairman. I am just trying to think of it.

Mr. Chairman: Why do I not turn it over to one of the other members and come back to you. We have three members on the list.

Mr. Philip: One of the exhibits you have provided states that in your phase-in process you do not see the need for any additional capital expenditure. Is that correct? You are not going to erect any new buildings?

Mr. Devlin: That is correct. We have the present facility, which was built for grades 7, 8, 9 and 10, an intermediary school, and at least for the perceived two years we have accommodation. The only thing would be minor renovation.

Mr. Philip: That would be at St. Michael school, probably.

Mr. Devlin: That is correct.

Mr. Philip: In another one of your exhibits you talk about the possible purchase of technical programs from the public boards of education. How many students do you feel that will affect?

Mr. McCauley: On the basis of the track record of students who have left St. Michael on an annual basis, it might be in the range of eight to 10 students. That track record is all we can go on at this time.

Mr. Philip: Will this require additional busing? Are there public schools close enough to the Catholic schools so that can be avoided?

Mr. McCauley: The one secondary school, Stratford Central Secondary School, is about a 10-minute walk from St. Michael, so walking is a possibility as well as busing.

Mr. Philip: So they would take their academic courses at St. Michael and the technical courses at the public school.

Mr. McCauley: That is the intent.

Mr. Philip: You seem to have reason to believe that this can be successfully negotiated with the public school board. Is that correct?

Mr. McCauley: I believe from my dealings with their contact that this is within the realm of possibility. The statement being used by the board of education is "where space is available." I believe that is where our discussions and negotiations start, on whether space is available.

Mr. Eckert: Not to mislead anybody, it is still an intention and a hope.

Mr. Chairman: We can give them all sorts of examples of where it has been done elsewhere, if you need any help.

Mr. D. R. Cooke: St. Michael was a junior high school at one time?

Mr. Devlin: Yes.

Mr. D. R. Cooke: When did it stop offering grades 9 and 10?

Mr. McCauley: In 1966, I believe.

Mr. D. R. Cooke: Do you have any idea what happened to the students at that time or for two or three years after that?

Mr. McCauley: What I believe happened historically is that this was the era in which the large vocational and technical schools were built. Stratford in Perth county, having the population it had, did not have the ability that the larger centres did to raise the funds necessary to create a private school with grades 11 to 13. Because of that factor, because it was unable to generate the funds through whatever means the Catholic

community uses—through churches, bingos and whatever—the board decided in its wisdom that schools offering merely grades 7 to 10 would fail. Of course, that has been the track record, I believe, across the province. Those schools ceased to exist where the children could not go on to grades 11 to 13 in a Catholic setting.

Mr. Eckert: I perceive in the question an interest in what has been the past in our jurisdiction. If we may move away from St. Michael for a moment, I would just like to comment that in our jurisdiction a secondary school was offered, for instance, as early as 1914. In the village of Kinkora a secondary school was established by the Sisters of St. Joseph, and by 1916 they were offering courses right through the fourth form of high school.

As well, at one time secondary programs were offered in the village of Kinkora up on the lake towards the Grey-Bruce area. There were also secondary programs offered in the Mount Carmel school that we still have. Within the village of Dublin, the building where our offices are located right now, was a continuation school operating to the end of grade 13. It was operated jointly by the separate school board and the public school board of the area, with trustees to the continuation school being appointed to operate that school, two from the separate school board, one from the public and one from each of the two county councils.

It operated until 1969 as a secondary school. Whether you want to call it a Catholic secondary school is a different matter. It was operated jointly. In the opening of our brief, we make the observation that Catholic education had historical roots. Those are some examples of those roots.

Mr. D. R. Cooke: I gather from your answer there was a falling off in attendance in the 1960s.

Mr. Devlin: That happened at the time I was teaching in the central school. A number of Catholic students came to grade 9 rather than go there. They said there was no point in going into grade 10 and switching over to a different environment. I think that was one of the reasons they did not attend grades 9 and 10. Many felt quite a difficult change when they came to the high school.

Mr. Jackson: To what extent have you looked into the option of volunteers? You do not make any reference to that in your brief from what I have gone through.

Mr. Chairman: Voluntary transfers of teachers.

Mr. Jackson: I am keying on your concern about a system with six teachers, five of whom will come from the public system and be non-Catholic.

Mr. Devlin: I have talked with colleagues in both schools. I know them quite well. Two or three of them indicated a passing interest. I would attach no absolute certainty to that. They are saying, "If the system is going to be viable, fine, but I do not want to write myself off, quit here and then find myself out—if anything should happen."

Mr. Jackson: Would your board's position support the notion of volunteers? Most boards that were in a situation of hiring for September 1985 were in advance of the legislation and therefore volunteers were acceptable according to the planning and implementation commission. That may be a closed door if the legislation is in place prior to September 1986. Could you give us something a little more definitive about your position on that?

Mr. McCauley: I believe our position is on record with our earlier submission to the implementation commission. I could say we would entertain volunteers. One of the major concerns of volunteers is that their rights and protection be the same as those of teachers who are recognized as being displaced. I believe any help the legislation could give to provide those guarantees to those who volunteer would help situations such as ours. I think it is the legal aspects of the volunteer mechanism that are causing some members of the teaching profession at the secondary level to withhold a quick leap.

Mr. Jackson: Your position is that you would support a component in the legislation that allowed you to receive volunteers. If I could key in on that point, does your coterminous board or boards have a retirement gratuity clause for their federations?

Mr. Devlin: Yes.

Mr. Jackson: Since you do not have a secondary agreement per se, you would be creating new agreements for your bargaining units. There is an obvious question that begs an obvious answer. Do you not feel that the fact virtually all members of your bargaining unit are transferring from the public board is going to put pressure on the designing of your first collective agreement?

10:50 a.m.

Mr. Devlin: I think it would depend primarily on how many do it. I can see no alternative to

giving them pretty much the same package they had before. There would have to be some kind of change to accommodate that.

Mr. Jackson: Would you support either in practice in your jurisdiction or in legislation, the notion of secondment and buying the services, paying an agreed-upon fee and allowing the public coterminous boards to maintain the hiring of the teachers who would be seconded to your system.

Mr. Eckert: I would hope that the volunteer route would be contained somewhere in the legislation. We see that as a rather natural process. In our jurisdiction, the retirement gratuity in the public board constitutes 50 per cent of salary and ours constitutes 20 per cent of salary. That presents an obvious problem, but not one that cannot be overcome. I am trying desperately to think of your last question.

Mr. Jackson: It was to do with secondments as an option as opposed to you hiring the transferees.

Mr. Eckert: We discussed that in the early stages of proposed legislation as a real alternative. I think it can still be an alternative, but perhaps not as good as the volunteer route. We feel that if there were a secondment it would have to be for a minimum period of three years. Let me expand on that a little.

With a large school system, for someone to go over on secondment for a year here and there is good planning and brings variety to the system. However, with ours, if we are hiring five teachers and two of them are only going to be there for a year, it is not good planning and it is not good programming. We feel it would have to be for a minimum of three years at small boards.

Mr. Chairman: We have gone on longer than normal, but they have all been short questions with good, short answers so I was reluctant to step in. I want to thank the three of you for attending and giving us this profile of your area of responsibility. You touched on some things we have not dealt with before, whether it is the idea of differentiation and secondment periods or a couple of other things you raised that had not been brought before us previously.

Mr. Jackson: I appreciate the fact that the inclusion of the maps assisted the member for Mississauga North (Mr. Offer).

Mr. Chairman: I thought it helped a great deal. I just want to make sure that the member for Scarborough Centre (Mr. Davis) gets to see them. We know his great love of maps.

Mr. Jackson: He is lost somewhere in southwestern Ontario today.

Mr. Chairman: Our next presenter is District 52, Lennox and Addington, Ontario Secondary School Teachers' Federation, with Ms. Dodd and colleagues. Perhaps you would like to introduce your colleague and take us right into your brief.

DISTRICT 52, LENNOX AND ADDINGTON, ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

Ms. Dodd: I am Ms. P. Dodd and I am president of District 52, Lennox and Addington, Ontario Secondary School Teachers' Federation. This is Peter Peart, our provincial counsellor. Before we start, I would like to apologize for a number of typographical errors. In our haste to send this off last week, we lacked time to complete our proofreading.

We appear before you as representatives of District 52, OSSTF, or if you wish, the county of Lennox and Addington in eastern Ontario. We officially represent 185 secondary school teachers, but in an unofficial capacity we represent thousands of students, parents and taxpayers in that beautiful county. We are worried. In fact, we are afraid and our fears focus on four key factors that could cause irreparable damage to the social, financial and educational fabric of Lennox and Addington.

First, religious intolerance is, for the first time in memory, an ugly and sickening presence in our county.

Second, we are a community of neighbourhoods served by single schools. The passage of Bill 30 would deal a devastating blow to these schools in their social composition, their teaching capabilities, their programs and their capital investments.

Third, the third reading of Bill 30 would ensure a wrenching loss of staff in our secondary schools, in particular the loss of young women teachers. Many of the most important social thrusts initiated by the provincial government would be placed in jeopardy.

Finally, this proposed legislation must result in an entirely illogical duplication of capital expenditures in both facilities and programs. We feel this has to be a cardinal consideration for the politicians in this government and in this Legislature.

The history of Lennox and Addington begins for our purpose today with the United Empire Loyalists of more than 200 years ago. The county is essentially based on agriculture. Its population

is composed of small villages, small towns and the substantial town of Napanee. These neighbourhoods are far-flung over the county's 100-mile length. It is not rich; far from it. However, its citizens work hard, force a living from a beautiful but difficult land, go to church, raise families and educate their children. The impressive kindergarten to grade 13 school at Cloyne is perhaps a symbol of our people's response to challenge and insistence on excellence.

As well, the history of Lennox and Addington is characterized by harmony. Our citizens cover the social, political and religious spectra, yet the years pass without acrimony or tension or intolerance.

This is no longer the case. I tell you with the deepest concern that religious differences are now being debated and religious intolerance is on the ascendancy. Indeed, our secondary school teachers feel acutely that they now are second-class citizens. They have been informed that they are morally or spiritually unfit to practise their vocation in a publicly funded secondary school in this province.

I should like now to elaborate and make specific our major concerns. First is the issue of the single school community. I am going to talk briefly about our three schools.

The first is North Addington Education Centre. Unquestionably, funding extension will damage the unique school-community relationships that have thrived in each of the three corners of Lennox and Addington. At the remote north end of the county, NAEC's learning programs allow the phrase "an equal opportunity to obtain an education" to become a reality. Addingtonians and their northern neighbours in Hastings and Frontenac can boast of teachers and facilities operating to meet their specific regional needs. For more than a generation these reasonably isolated hamlets have taken enormous pride in the fact that all age groups could link up with the challenging diversities of modern education through NAEC.

Funding extension would limit access and curtail the availability of this learning heritage. NAEC's already limited enrolment base could not withstand the strain of losing students and financial resources caused inevitably by the fragmentation of educational policies. Once before, in 1974, the citizens of the area successfully protested against an attempt to reduce the programs at NAEC. They are well aware of the contribution its teachers and facilities make to the social and economic well-being of their community.

Napanee District Secondary School serves a thriving community whose members have chosen, for the most part, to live, learn and work within the context of a small town lifestyle. As a result, this school is one of the largest in eastern Ontario. It grew through service to the diversity of all Napanee's young citizens.

The almost 50-kilometre bus ride to the area's separate secondary school on the far side of Kingston means that NDSS serves a majority of the county's students who are eligible for separate school. It is a key element in the life of most Napanee and area residents. For example, the school provides the only place where area teenagers can enjoy supervised dances, an important part of social maturation.

NDSS suffered gradually declining enrolment over the last decade. This process has stabilized at a level where programs can be tailored to suit the needs of the entire community. However, further reduction in enrolment or financial resources, which would inevitably result from the availability of publicly financed separate school facilities west of Kingston, would mean a drastic drop in the quality of NDSS's contribution to its community.

Finally, Ernestown Secondary School, in the picturesque village of Odessa on Highway 2, 12 kilometres west of Kingston township's suburban development, has experienced a spurt of growth and modernization directly proportional to the thriving history of ESS. One of the main reasons people were attracted to Ernestown township was the availability of secondary school programs as rich and varied as offered at any medium-sized school outside of urbanized Ontario.

Opening a second Kingston-area separate secondary school west of the existing Regiopolis-Notre Dame would cripple the existing program at ESS. In future, parents demanding the high quality of educational opportunity that ESS has offered in recent years would be bitterly disappointed. A small reduction in enrolment means that so-called fringe programs such as drama, music, German, and shorthand would immediately lose their viability.

11 a.m.

Parents and the community at large are well aware of the excellence generated by such projects as the technical education department's construction of a single-family dwelling or the annual dinner theatre presentation of the theatre arts department. Ernestown's bands have honoured the school and broadened student learning in travels as far afield as Great Britain. Bitter

disappointment would be a certain parental reaction to the news that younger siblings could not partake in these kinds of enriching experiences.

In summary, the three secondary schools of Lennox and Addington are each in a precarious position. They are three of the approximately 180 single school communities throughout Ontario for which Bill 30 will mean decline and social fragmentation.

The second concern is redundancy. One of the gravest concerns of District 52 is the effect on our students. Since we will lose a number of our teachers if Bill 30 is implemented, we must look at who these teachers are and what special skills they offer to our students. They will be our youngest teachers and predominantly women. Inevitably, we will be left with an ageing male teaching force.

In Lennox and Addington county women make up 63.6 per cent of the teachers with up to five years' experience but only 35 per cent of the total teaching force. These figures make clear that a much higher percentage of women than men would be redundant.

This is simply not acceptable and the effect on our schools will have far-reaching implications. For example, one of the most important methods to achieve sex equity for students is the presence of female role models in schools, and I quote from Ontario Schools, Intermediate and Senior Divisions document: "The learning environment should provide the opportunities necessary for the achievement of the goals of education. Students should be able to see men and women in a variety of roles, exhibiting a wide range of human behaviour, abilities and emotions."

As well, the Ontario government has made its commitment to affirmative action clear, but by initiating Bill 30 it is ensuring that affirmative action programs will fail. Since the overall proportion of women teachers in the system will drop significantly, there will be even less likelihood of women being promoted to positions of responsibility.

I quote from the 1984 Commission of Inquiry on Equality in Employment, chaired by Rosalie Abella: "This situation is troublesome on two levels. First, the student body perceives that positions of authority are male-dominated, which has a tendency to reinforce in children, society's perceptions of women in exclusively supportive rather than authoritative roles. Secondly, the absence of women from the decision-making process may perpetuate discriminating systems and approaches."

We have three specific recommendations but, for the sake of time, I will leave them with you and read the first. We urge a full analysis of the potential for the disparate impact on women in the public secondary school before the committee makes its final report to the Legislative Assembly.

The second aspect of this redundancy problem is an increasingly ageing, male teaching profession. If Bill 30 is passed, the Legislature will have to take steps to alleviate the problem through precise and effective early retirement incentives.

Therefore, we also urge that the committee recommend strongly that the Ontario government amend the Teachers' Superannuation Act to allow early retirement at the age of 55, with a minimum of 10 years' experience, such provisions to be in effect for a minimum of 10 years.

Our third concern is duplication of facilities and programs. Both Napanee District Secondary School and Ernestown Secondary School offer a wide range of programs to their communities. The facilities in both schools have been upgraded over the years. The original portion of ESS was completed in 1960. Additions to the original facilities were completed in 1969 and 1982. The most recent expansion provided our students with a number of special purpose areas such as laboratories, computer facilities and art rooms.

The \$2 million spent on this addition and the thousands of dollars spent on NDSS to upgrade its technology programs would seem to have been wasted if a substantial loss of students is the result of Bill 30.

It appears that taxpayers will be required to dig deeper into their pockets to provide the Frontenac-Lennox and Addington Roman Catholic Separate School Board with capital funds to build new facilities or to purchase facilities from the public boards. Certainly, in either case, new facilities and equipment in Lennox and Addington will be less efficiently utilized than is now the case.

The Frontenac-Lennox and Addington RCSSB must provide technical and business facilities to meet the requirements of OSIS. Thus, not only must classrooms be built to accommodate student shifts, but also expensive specialized facilities must be provided. Surely this duplication of facilities is folly in the extreme, given the scarcity of tax dollars and the many worthwhile demands placed on them.

Twenty or 30 years ago a typical secondary school in a small town or a continuation school in a rural area offered a limited program to its

students. Courses were academic in nature and relatively few people in the community participated in or completed secondary school. Through Ministry of Education encouragement, local initiative, parental pressure and provincial legislation, the programs offered by secondary schools have expanded so that a wider variety of students may be served and all students may have their education enriched. Napanee District Secondary School and Ernestown Secondary School have provided a wide range of programs to serve our community; for example, music, special education and co-operative education programs for the gifted and handicapped.

The list is long and impressive. But will these programs survive a significant loss of students? Programs such as co-operative education would be severely curtailed as senior students transfer to the Roman Catholic separate school. Our teachers are leaders in this important area. However, the programs need a solid enrolment base to be viable. Special education would become more expensive as the Roman Catholic separate school duplicated the programs we currently offer. Legislation requires that the programs exist in both public and separate schools. The question must be put: Who will pay the increased cost?

Since student enrolment is a major factor in determining the level of the provincial support a local board receives, less money will be available to fund programs which have made education meaningful and worth while for a wide variety of students. In addition, the property tax base of our board of education will shrink as support is directed to the Roman Catholic separate board. How then can we maintain the programs necessary for the enrichment of our children, for strengthening their grasp of technology and for introducing them to the world of work?

In summary, recently both local and provincial tax dollars have been spent to improve facilities and provide adequate programs at Ernestown Secondary School and Napanee District Secondary School. Loss of enrolment due to the extension of funding will result in a less efficient utilization of these facilities. Programs which are necessary for a modern education will be jeopardized by a loss of students. Recent ministry directions, Bill 82 and the Ontario Schools, Intermediate and Senior Divisions guidelines, will force the Frontenac-Lennox and Addington County Roman Catholic Separate School Board to duplicate our facilities and programs at more cost to taxpayers.

Neither school system may be wealthy enough to offer the program we currently enjoy. As costs

escalate, the public school tax base will shrink and provincial grants, which are largely enrolment driven, will decline. Who will pay the cost?

In conclusion, these are our concerns and fears. We abhor the presence of religious prejudice in our society and protest against that which will exacerbate this evil. We worry deeply about our single-school communities and the social divisiveness which could descend upon them. We feel that the demographic makeup of the teaching profession is of vital concern to the wellbeing of our students. Finally, of paramount importance is the issue of wasted capital expenditure and needless further capital investment.

Mr. Chairman: You have touched on a number of themes we have had before which are of specific interest to the committee, such as single-school communities and how to protect the viability of the public system, and the problem of women disproportionately hit through the seniority provisions. You also suggested something I know a number of members are looking at: the early retirement option as a means of guaranteeing some new blood in the system and perhaps helping the sexual balance in that way as much as anything else.

It has been a while since we were in Kingston and we were deluged by local groups. I cannot remember the figures exactly and everything is not in your report. The Napanee District Secondary School has a very large population of about 1,500. What is the Catholic component of that? Do we know?

Ms. Dodd: In Lennox and Addington? About 17 per cent.

Mr. Chairman: If even by some remarkable means everybody in that system who is Catholic transferred, there would still be a school of well over 1,000 which would be able to keep a fair range. Because of the size and nature of the county, I presume there is no plan put forward at this time for any kind of Catholic provision of services in the northern section because of the numbers. Is there? I cannot remember.

Ms. Dodd: No, it is very far north and it is a very small school.

Mr. Chairman: Besides an expansion of Regiopolis that we heard about when we were there, was there a plan for a new school in the west end?

Ms. Dodd: If you know the area, there is a tentative plan for a school in Bayridge which is adjacent to our county, Lennox and Addington; just as close, actually, for students as Ernestown

would be for them and close enough for Napanee students to be bused very quickly.

Mr. Chairman: What is the Catholic population of Ernestown, which has a population of about 800 students at the moment? Have you any idea?

Ms. Dodd: I do not know.

Mr. Chairman: It seems to me that would be one that could be affected programmatically with a large swing. I cannot remember at this stage; I would have to go back and look at all our presentations to get those figures.

11:10 a.m.

Mr. D. R. Cooke: This is my first exposure to this committee. Some of the committee members may need maps of this area, but I do not. I am a summer—what did you call us?

Ms. Dodd: Addingtonian.

Mr. D. R. Cooke: Addingtonian, all right. I am quite familiar with the North Addington Education Centre. It is a unique school because, as the witness indicated, practically all the students are bused into this community of about 108 citizens. It is an education centre in the village of Croy. They come from more than 50 kilometres away. The Roman Catholic population north of Highway 7 would be almost nonexistent except for the French settlement at Clinton. Is that not correct?

Ms. Dodd: We believe it to be 12 per cent.

Mr. D. R. Cooke: That high?

Ms. Dodd: Yes.

Mr. D. R. Cooke: You are not aware of any plans for these students at all? I am wondering to what extent the education centre would be affected and why you are so concerned about it being disrupted.

Ms. Dodd: We feel that some people may send their students out to board. We agree this school is going to be the least affected of all three schools. There is no doubt about it.

Mr. Jackson: I would like to compliment the panel on its brief as well as on its quick lesson in speed reading. You have been very helpful. I know the chairman will agree with me.

I am delighted to read the attention you have given to the problem of the disruption to the equity of female and male teachers and the impact that will have. I would like to ask you to go further with your recommendations. You are one of the few groups who have come forward who have gone even this far. I want to compliment you at the outset for helping us in this area. Most people stop at your first

recommendation, which is that we should study it. Quite frankly, I am nervous about just studying something we are going to be implementing.

Could you expand a little further on what I believe is recommendation 3 on page 6? You do not really mean to imply that we hold up a plan in all those jurisdictions where more women would transfer than men. I do not want to put words in your mouth. What are you suggesting here: that there be some distinction between a total redundancy list having a certain balance within the transferees or within its impact on the whole system?

Ms. Dodd: As it says, if the overall percentage of women within a school or within a board decreases significantly, the plan should be held up. This is a very important issue. It is a major one.

Mr. Jackson: Given that I would agree with you and given that we could agree what was meant by significant, and given that it could not in and of itself hold up a plan, what options would we have other than to state that these women will not be required to be forced on to the designated list because of the very question you have raised, that only males will be asked to transfer?

Ms. Dodd: There would have to be a method to ensure the percentage of women remained stable in the public secondary school. I do not have that method for you.

Mr. Jackson: No. As I said, no one has even got into this area in any great detail. That is why any of your comments are greatly appreciated.

What about the notion about the early retirement pool or the permanent supply teaching pool being used for males? It is a form of discrimination. That is the first thing that comes to mind. If we are not going to do it at one end, we would potentially have to look at some solutions at the other end of the scenario, which is teachers retiring. How could one accelerate the number of males retiring, and not females, so that we do not tamper with the mixture?

Mr. Peart: Those lured by early retirement incentive plans are about 70 to 75 per cent male, in my experience. Additional early retirement incentives built into the Superannuation Adjustment Benefits Act would attract more men simply because of the demographic level of male versus female at the old end of the teaching—

Mr. Jackson: We call it the top end.

Mr. Chairman: Senior.

Mr. Jackson: I would like to pursue one more point. Do you see any practical difficulty with building a ratio of male to female into the incentives to ensure the very point you suggest?

Mr. Peart: It would be inviting a lot of legal problems and would not be necessary. More men retire than women. However, to build in that kind of insulation would be to invite a test case in the courts because it would be discriminatory.

Mr. Chairman: It may be gratuitous. As you say, looking at the staffs we have seen across the province, a tiny percentage of those eligible for retirement took advantage of it with any kind of small enhancement. It would cover most of the problems currently envisaged in terms of transfers for the funding system.

Mr. Peart: We have had an early retirement incentive plan in Lennox and Addington for only three years. Eight people have taken advantage of it and six of them have been men. That is a small sample. However, it would not deviate very much across the province. It would be predominantly an enticement for ageing men teachers.

Mr. Jackson: I appreciate the candour in this area. It is a problem and we are having difficulty finding solutions. All of us want to avoid the approach of just studying the issue further.

Mr. Chairman: This committee has had fairly broad representation on this issue from across the province. Probably more than any group, it now has an idea of what it looks like region to region and why it is a very serious concern.

Mr. Philip: I compliment you on making specific proposals dealing with the bill, rather than simply making a negative statement against it. Not all groups appearing before us have done that.

I had a family business in the Napanee area about 15 years ago. Napanee at that time was expanding fairly quickly. Has that continued? Is there a continuous influx from Kingston and a population expansion of that area?

Ms. Dodd: Not really, no. The west end of Kingston is expanding, but Napanee has been pretty stable with about 5,000 people for some time now.

Mr. Philip: You made a statement that I must at least challenge you on. You said that they—"they" being the teachers—have been informed they are not morally and spiritually fit to practise their vocations in publicly funded secondary schools in this province. Who has informed them of that?

11:20 a.m.

Mr. Peart: The Whig-Standard is the Kingston newspaper and it is a very good one. It has been carrying a series of articles about candidates for the various municipal offices in the upcoming election, including public school trustee and separate school trustee candidates, both aspiring and incumbents.

Several have stated explicitly—at least have been quoted; take that for what it is worth—that if a teacher is not a practising Catholic who endorses the entire spectrum of Catholic teaching, then that teacher will not be teaching at Regiopolis Notre Dame. That would apply to me because I am a practising Roman Catholic but I do not espouse all that, technically, I am supposed to and they made very clear, in my reading of the Whig-Standard, they would not touch me, a volunteer, with a 10-foot pole.

Mr. Chairman: We will send the Hansard out to the appropriate candidates.

Mr. Philip: I suppose there are fringe candidates who are eccentric candidates in every municipal election. In keeping with your comment on page 8, of abhorring the presence of religious prejudice in our society, I wonder if the statement on page 2 is not simply adding to it. Would it not, on second thoughts, be better had you left that out of your presentation?

Mr. Peart: Possibly, but the fact is that I have lived in that area now for just over 10 years. I moved from Brampton. Once I saw that Bob Callahan had a chance of becoming successful, I thought, my God, the world has turned upside down, I had better leave.

Mr. Chairman: You saw that 10 years ago?

Mr. D. R. Cooke: The Peel separate school board would have probably offered you a job.

Mr. Peart: I pounded on many doors for Mr. Callahan.

For the first time, I am hearing conversations about religion. People are talking about religious differences and I worry about that. I think back to when I was a youngster. It was pretty vicious at times and that declined over the years. I am 45 now and in the last 30 years that kind of conversation has declined to the point of being almost nonexistent, but now I hear it again from neighbours and colleagues.

Mr. Philip: Is that not the same kind of argument we heard in Manitoba when, in giving francophones, a minority group, their equal rights, people were saying there was no prejudice against French Canadians as long as they were quiet and did not exercise their equal rights? The

moment we give a minority group its rights, suddenly there is going to be a lot of prejudice. How do you overcome prejudice without dealing with the rights of minorities?

Mr. Peart: With respect, I think your question is leading. You are talking about equal rights and I would like to wait and see what Mr. Robinette and the Supreme Court say about that before I know what rights any of us actually do have.

Mr. Philip: I am talking about minority rights. I did not say equal rights.

Mr. Chairman: Thank you. One of the things this committee has found is that there has been a great deal of discussion about religion around here lately. I am not sure that it is not something which is better discussed in the open, in this kind of public forum, rather than in the old fashion, with broken windows and fistfights, as I recall from my youth.

I appreciate your coming here and expressing your opinions to us and giving us some suggestions, as the member for Burlington South (Mr. Jackson) has said, to help us with the whole vexed area of how we are going to deal with a mix of seniority and sex problems in the whole designation process.

MONSIGNOR JOHNSON HIGH SCHOOL PARENT-TEACHER ASSOCIATION

Mr. Chairman: Our final deputation for the morning is from Monsignor Johnson High School Parent-Teacher Association. Mrs. Brewer and Mrs. Bonk. This is item 810.

Mrs. Brewer: I am Joan Brewer, chairperson of the parent association of Monsignor Johnson High School in Rexdale. Mrs. Joan Bonk is a member of our executive.

I would like to open with a quote, "In a higher world it is otherwise; but here below to live is to change, and to be perfect is to have changed often." John Henry Newman.

Monsignor Johnson High School was founded in December 1983 by the Metropolitan Separate School Board and the Archdiocese of Toronto to relieve serious overcrowding at Don Bosco and Father Henry Carr secondary schools in northern Etobicoke.

In September 1984 the school opened in a facility leased from the Etobicoke Board of Education, the former Rexdale Junior Public School, with a student body of 170 grade 9 students. The school population doubled in 1985 as we added grade 10 and we expect close to 600 students in September 1986. Courses are offered at the advanced, general and basic levels. The school also operates a class for trainable retarded

students, as well as a resource program for academically disadvantaged students.

As parents we are deeply concerned with the accommodations, facilities and programs that will be available or not available to our sons and daughters over the next few years. We welcomed Premier Davis's announcement of June 12, 1984, which stated that the Catholic public school system in Ontario would soon be recognized as a full partner in public education in the province. We congratulate and thank all three political parties for their support of the intent of the Premier's statement.

Historically, the first education statute after the Act of Union of 1841 did much to create the present scene in Ontario. By 1863 this act with its amendments ensured the Protestant minority in Lower Canada and the Catholic minority in Upper Canada a basic education. These rights are enshrined in the British North America Act, and now the Canada Act, and in the Canadian Bill of Rights.

The years from 1841 to 1985 have witnessed a long and arduous struggle by the Catholic community to ensure the right to educate our children in a fully supported Catholic system. We would like to supply the following statistics in order to show the changing situation in education in this province.

In 1982, according to ministry statistics, over a third of the elementary publicly supported school population in Ontario was enrolled in separate schools, 429,946 as opposed to 787,466 in elementary public schools. This represents a tremendous growth in the separate system. The same enrolment projections from the Ministry of Education in November 1982 show in elementary 1,224,880 in 1981 to 1,147,843 in 1991, a decrease of 7 per cent; in secondary 568,635 in 1981 to 445,705 in 1991, a decrease of 21.7 per cent.

Elementary enrolments peaked in 1970 at 1,465,488 and declined to a low of 1,217,412 in 1982. Secondary enrolments peaked in 1977 at 613,930, declined to 562,013 in 1982 and are expected to decline to 445,705 students by 1991. In the same period Ontario Catholic high school enrolments have climbed from 34,733 students in 72 schools in 1970 to approximately 80,000 students in over 110 schools in 1985.

The Ontario Catholic high schools system has developed to the point where it is now larger than the public secondary school system of all provinces with the exception of Ontario and Quebec. This, along with the growth of the elementary separate schools, led to this reassess-

ment of the role and legal rights of the separate school as a full partner in education in this province. The Premier's announcement, along with the proposed Bill 30 as a response to the above, corrects a historical injustice and guarantees educational equality to a major segment of the youth of this province.

Twenty-five years ago, a basic education for most Canadians was grade 8. Today most educators, indeed most informed citizens in the western industrial world, see education as a lifelong process with a secondary education as a very minimum basic education for all citizens. Indeed, many feel that free publicly supported education should extend beyond that of a secondary education. The Premier's announcement and Bill 30 acknowledge the above reality in Ontario: a basic minimum education for survival is a secondary diploma.

This announcement will allow the Catholic school system to become a full partner in education with the public school boards, the community colleges, the universities and other educational institutions in this province. "The future of work will consist of learning a living", Marshall McLuhan.

11:30 a.m.

I turn now to the Catholic high school and the mission of the Roman Catholic separate school system. The late Archbishop Pocock in March 1971 made the following statements regarding the Catholic school:

"Basically a Catholic school is one in which God, His Truth, His Life, are integrated into the entire syllabus, curriculum and life of the school...a community, a community of learning and living, a community of love for and service to others...a Christian community...a community involving children, teachers, parents and pastors of the church...a vibrant living community...which does not look in upon itself but looks outward to all men without exception, their needs, their sufferings, their climb to fulfilment in Christ."

Much has been written on the nature of the Catholic school. We must keep in mind that it is essentially a faith community of those who teach and of those who are taught.

Catholic high schools have made a major contribution to the intellectual, social, cultural and political life of this province since their beginnings. Their unique gift has been a commitment to an education which integrates the values of Catholic Christianity into the very fabric of the school. The philosophy of education espoused in these schools is that education should not

acknowledge the religious dimension, but allow it to give focus to the total curriculum.

This has been the distinctive mission of the Roman Catholic separate school system which was recognized in the constitutional guarantees of 1867. We hope that in completing the final two grades of the Catholic separate school system, nothing is done to weaken our ability to fulfil our distinctive mission.

In addition to the above, the Catholic high school must be concerned with achieving the same objectives to which all secondary schools in the province are committed. It will continue to dedicate its efforts to producing responsible, mature, knowledgeable graduates and citizens of this province and country.

We are in general agreement with the basic principles stipulated by the Minister of Education (Mr. Conway) as embodied in the proposals of Bill 30. The following comments will focus on other areas of concern for us, as Catholic parents, in Bill 30 besides the distinctive mission of our schools. I turn these over to Mrs. Joan Bonk.

Mrs. Bonk: The third principle of the bill is that, "in implementing this policy, the interests of students in all our schools must be first and foremost."

Subsection 136o(1) accords pupils in public secondary schools the right to attend Catholic secondary schools, provided that both boards are in the same area of jurisdiction and that accommodation is available, as certified by the director of education. Subsection 136o(6) provides for exemptions from religious programs and courses of study in religious education in a Catholic school for non-Catholic students who must attend a Catholic school.

As we have done in the past, we welcome non-Catholic students to our schools where accommodation is available. The exemptions from religious programs and courses of study are as broad as is necessary for the students concerned. In our area, and in Metropolitan Toronto as a whole, we believe that very few students will attend Catholic schools for reasons of program, distance or handicap. A non-Catholic student who voluntarily attends a Catholic secondary school is best served by participating fully in the Christ-centred atmosphere of that school, in order to feel one with the community.

As parents, we would like to make the following observations on accommodations. As stated earlier, our sons and daughters are at present being accommodated in a former public junior elementary school which fortunately lay

vacant in our area. A number of our older children have been or are being educated in overcrowded conditions at Father Henry Carr or at Don Bosco secondary schools. Facilities and accommodations are a major concern to us, particularly as we live in an area with a number of vacant and underutilized facilities in the public school sector.

If the spirit of the third principle, providing for the interests of all students in all our schools, is to be met, more adequate accommodations must be afforded both to those students in the system now and to those who wish to attend. There can be no question that there are existing facilities currently underutilized by the public secondary system in this metropolitan area. During the next five years, statistics indicate that this situation will be compounded regardless of completion. Therefore, we believe that section 136w, which provides a mechanism through which a separate or public board may request a transfer of property from one to the other, is necessary to help alleviate the problem of inadequate accommodation.

In regard to voluntary transfer of staff, our parents' group commends the fourth principle of Bill 30, that of "no unemployment as a direct result of the policy extending funding." Our parents take the position that teachers volunteering to move to the separate board under section 136l should be considered as part of the designated list and should be afforded protection under Bill 30. Volunteer teachers would assuredly be committed to fulfilling the expectations of the school community and would enter the new system in a spirit of enthusiasm and acceptance of its inherent values.

The opportunity for older teachers to transfer to the separate system would give the public boards a means of retaining a number of younger staff in their secondary teaching panels. This use of voluntary transfers would also alleviate problems associated with supervisory roles and promotion. Since an understanding and acceptance of the mission of the Catholic high school is vital to the leadership function of our system, it would be difficult to consider, for supervisory positions and other promoted positions, those who do not share the goals of the system.

Our parent association endorses the retention of the planning and implementation commission as a mechanism to facilitate the completion of the Catholic school system and to assist all those involved in the process. The commission, in addition to its present duties involving the sharing of facilities between boards, might look

at the sharing of facilities between boards and community colleges.

Perhaps the commission could encourage all in the process to look at the establishment of regional high-tech centres for the good of the entire community. These centres could be the product of co-operation between public boards, separate boards, community colleges, government and industry.

The social development committee should also look at the overall funding of education in this province. Bill 30 will go a long way towards solving the inequalities between separate and public boards but many of the problems still relate to the inequalities of revenue production for individual boards in this province, problems that are involved in local assessment, industrial and corporate assessment and grant ceilings.

The parent association of Monsignor Johnson High School thank you for the opportunity of presenting this brief to the commission. We would also like to invite members of the committee to visit our school at any time in order to familiarize themselves with the nature of a Catholic secondary school and to see at first hand the situation we face with regard to facilities and accommodation. Our prayers and hopes for the future are with you in your considerations.

I would like to close with a quote from John Henry Newman. "Nothing would be done at all if a man waited until he could do so well that no one could find fault with it."

Mr. Chairman: I am tempted to make some sort of frivolous comment in political terms about that last quote, but I will hold myself back.

Thank you both, Mrs. Brewer and Mrs. Bonk, for coming forward, especially given the specifics of your situation in Etobicoke, where the need to accommodate a growing Catholic population because of a declining public school population has already had to be dealt with. I liked everything about your brief except the notion that our committee should also take responsibility for looking at the overall funding issue. I would rather you did not assign us any more work in education at this stage.

Mr. Jackson: We have enough work as it is.

Mr. Chairman: Exactly. We have homework coming out our ears and we may never finish this project, let alone taking on another one.

Mr. Philip: Mrs. Bonk, I wonder if you would elaborate on the extent of overcrowding. Your particular school is a new school at the moment and you are saying it was overcrowded two years after it was established.

Mrs. Bonk: Yes, we have moved into a junior school which in reality is not set up to take high school students. We just have grades 9 and 10 there now, but we do have portables already and are looking to a larger accommodation.

Mr. Philip: Don Bosco is four years old? It is hard for me to remember.

Mrs. Bonk: Three or four.

Mr. Philip: Is it similarly overcrowded?

Mrs. Bonk: Yes.

Mr. Philip: One of the comments that was made to me by another trustee, and I will not quote him on the record, was that part of the problem the Metropolitan Separate School Board had with the purchase of Don Bosco was that, if it had to buy very many more schools at the price it paid for Don Bosco, it certainly could not afford very many more. It bought a Cadillac when it could have built a Ford for considerably less money. Do you have any comment on that?

Mrs. Bonk: People seem to overlook the fact that Catholics have been paying secondary school taxes all along. It seemed redundant to us to have to pay something like \$7 million to buy a school and everything that went with it, after a lot of our money had already gone into it.

11:40 a.m.

Mr. Philip: Is it correct that part of Don Bosco is unused because the technical equipment is sitting there and cannot be used at present as a result of the underfunding?

Mrs. Bonk: Yes.

Mr. Philip: Meanwhile, public school students who might have used that equipment are not able to use it either under the present system. So you have a large section of that school, with some very expensive equipment which is simply rusting.

In the first brief we had comments from a Catholic school board that it would negotiate for technical education in the public school, since they were the smaller group. In your case, you are the larger group in the Rexdale area.

Do you see it as part of your negotiations with the Etobicoke board that you might make available schools such as the new Don Bosco High School, which was formerly Keiller MacKay Public School, that have all these technical facilities and could be used by some public school students as the population declines?

Mrs. Bonk: Do you mean such as them coming in to do a shop class?

Mr. Philip: To purchase a service.

Mrs. Bonk: I do not see any problem with that.

Mr. Philip: What has been the relationship between you and the public school board with respect to the negotiations?

Mrs. Bonk: The Etobicoke school board, with its greatly declining enrolment, seems to be almost happy to have this issue coming up. They seem to want to say, "Look what the Catholic school board has started," but their population has been declining for a number of years.

They are reluctant to declare many schools surplus because they know that, in the pecking order, they must offer their schools to us first. We are not feeling badly about it; we want to get along and negotiate. Those schools are sitting empty.

Mr. Philip: Mrs. Brewer, are your children in the Catholic schools in Rexdale suffering as a result of the great number of portables? Are we facing the kind of situation where parents are going to be picketing the Legislature, as they did a few years ago, and decrying the terrible conditions that existed at the original Don Bosco?

Mrs. Brewer: I can foresee that. I have a son in Monsignor Johnson High School, which is filled and has two portables. If in another year we have an empty school a block and a half away and if we have to continue at Don Bosco, there will be portables and overcrowding. That does not make for a very happy situation.

Mr. Philip: Have you been able at Monsignor Johnson High School to make use of an elementary school that would have been redundant to the public board whether or not this bill went through?

Mrs. Brewer: Yes. It was fine last year. They had rooms they could leave vacant if the need arose. Now it is filled.

Mr. Philip: Is it not correct to say in that particular area there are going to be certain public elementary schools free, with no students in them, whether or not this bill goes through?

Mrs. Brewer: Yes.

Mr. Philip: So this bill makes it advantageous to the Etobicoke board to use some of the school space it would not have been able to use otherwise?

Mrs. Brewer: Yes. We have a large school sitting mothballed right now. In another year we would make use of it, very much so.

Mr. Philip: Mrs. Bonk, you live in an area that has a number of single parents who send their

children to Father Henry Carr high school and now to Monsignor Percy Johnson high school. In a personal way, from people you know, can you tell us the kinds of hardships that may have been put on these parents as a result of trying to send their children to a school when they could not afford to send them to that facility?

Mrs. Bonk: Having to pay \$900 tuition over and above whatever their taxes are is a hardship. Any of us has to think a great deal now. For parents who are not Catholics, choosing to send their children to private schools is a big decision. To us, it is bigger in a sense because we should not have to pay the money, and yet we want the continuation of the Catholic education. It would mean that a child would have to get a job when he should be able to attend school and get into extracurricular activities or that the family would have to do without something at home.

Mr. Philip: Are there large numbers in ward 5 facing that problem at the moment?

Mrs. Bonk: There are a number that I know offhand. I do not know whether the number is large or small in comparison, but certainly there are many who think hard about the issue.

Mr. Philip: I wish you luck on November 12. I know I will be voting for you.

Mr. Chairman: I sensed you might be.

Mr. Offer: I have a question with respect to your comments on accessibility. We have heard from other groups proposing the possibility of total access to either system, public or separate, with the provision that the opting out of religious education be the same as it is now in the bill.

Because you have directed your mind to the question of accessibility, I wonder what your view is regarding the availability of universal access with respect to both systems. Do you think it would have any effect on the catholicity of the separate school system?

Mrs. Bonk: Up to this point, we have accepted non-Catholic students in our schools with the provision that they attend religion classes. I cannot imagine why anybody would wish to come to a Catholic school, when that is the added dimension, without wanting to take religious classes.

Mr. Offer: Given that fact, you would have no reservations with respect to allowing universal access in the event that the students would still have to take some religious courses?

Mrs. Bonk: I would not have any problem with that at all. On the other hand, it might be that there was not a public school close by and, for reasons of transportation, they would choose the

closer school. In that case, it would be more of a necessity than a choice, and I can see them being exempt.

Mr. Offer: I understand that, and it leads me to a second question. It has been brought out in the past that a non-Catholic student who must attend a separate school ought to be able to opt out of the religious class. What if it happens to be a Catholic student who is now in the public system and who must attend?

Mrs. Bonk: That certainly poses a problem.

Mr. Offer: Just as a non-Catholic might have to attend a Catholic school for certain reasons, so also might a Catholic student.

Mrs. Bonk: I have not thought of that.

Mr. Offer: Do you have any feeling on it?

Mrs. Bonk: I guess again it would be a choice. As a Catholic parent, I cannot imagine choosing to send my child to a Catholic school and saying, "I want my child exempt from a religious class," for whatever reason.

Mr. Offer: No, I am sorry. I am talking about the youth alluded to in the third paragraph on accessibility, where the exemption—

Mrs. Bonk: The exemption would be for reasons that were not their choice.

Mr. Offer: Right. What if that person happens to be a Catholic who is now going to a public school?

Mrs. Bonk: I guess that would have to be talked over with the principal. It just seems so rhetorical, I cannot imagine it.

11:50 a.m.

Mr. Offer: My last question is with respect to the transfer of teachers. You have discussed the voluntary transfer with respect to teachers going from the public system to the separate system. As you know, under the act, there is the possibility, notwithstanding volunteers, that certain teachers might have to go from the public system to the separate system. I am wondering how you view the non-Catholic transfer with respect to it affecting the catholicity of the system.

Mrs. Bonk: Again, I will say that we have non-Catholic people teaching in our schools and to my knowledge it has not affected the catholicity of the separate school system. In the first place, I do not see great numbers of them coming. Over the province it is estimated that it is as small as one per cent of teachers being moved around because of this. I do not see that as affecting the catholicity of our schools.

Mr. Offer: So you really have no reservations with respect to the non-Catholic?

Mrs. Bonk: No. A teacher who may find himself or herself redundant and applies to the separate school board and is totally anti-Catholic is going to be very uncomfortable teaching in that situation. But I do not think we are so different as Christians that they are going to be uncomfortable if they are just trying to do a good job.

Mr. Offer: What if that teacher happens to be a visible pro-choice advocate in the abortion question?

Mrs. Bonk: That would have to come out when they are being interviewed. They would obviously not be allowed to talk that way in our schools or to exert influence, but as far as their teaching qualifications are concerned, again it would depend on what they were teaching.

Mr. Offer: As a parent, would you have any reservations about that teacher?

Mrs. Bonk: I do not think so. Our children are not so closed off from meeting other people that they do not know that others have different ideals. What they are going to get in our schools is that people have other ideas; this is what we teach.

Mr. Chairman: Do you want to add anything? All the questions have been asked.

Mrs. Brewer: As for redundant teachers coming in, I can see that if even five per cent or 10 per cent of your staff were from the public board, we probably could cope with that. If it got up to half your staff from the public board, maybe including a principal, then you begin to sway the other way and there goes the catholicity; however, I do not think it would reach that. We have employed teachers from public boards, but they are such a minority that they fit in. Again, it is all a Christian outlook.

Mr. Offer: I was wondering from your answer whether you believe there is some sort of trigger figure.

Mrs. Brewer: If it comes to the point of half of your staff, how does the catholicity continue?

Mr. Philip: Would you not agree that there are a number of Catholic teachers teaching in the

Catholic high schools right now who already hold the view of being pro-choice rather than pro-life?

Mrs. Bonk: I guess I would have to admit there probably are.

Mr. Philip: Has that posed any problems so far to you?

Mrs. Bonk: They probably would not be taking time in class to discuss this.

Mr. Philip: Would that be any different from a non-Catholic who might hold the same views?

Mrs. Bonk: No.

Mr. Philip: Would you not agree that research shows there is not much difference in terms of the population, Catholics versus non-Catholics, in terms of being either pro-choice or not?

Mrs. Bonk: On that issue, that is correct.

Mr. Bernier: I would like to compliment this association on its presentation. It is well researched. I like the thrust of the remarks.

I have one question in connection with funding. This committee has heard a lot about funding, and the lack of it, in the public and separate school systems. On the second page, you make this comment: "Indeed, many feel that free, publicly supported education should extend beyond that of the secondary education system." Are you suggesting that university should be totally publicly funded?

Mrs. Brewer: We have Humber College, a very high tech centre, within our area now. There are schools further down which take students at a lower academic level. Yes, I think we have facilities, and we could do this sharing between these schools. It would benefit everyone.

Mr. Bernier: This is not a thrust to go for a separate Catholic university system?

Mrs. Brewer: No.

Mr. Bernier: That has been thrown up at me many times, being Catholic myself.

Mrs. Brewer: Not yet.

The committee recessed at 11:56 a.m.

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Offer, S. (Mississauga North L)
Philip, E. T. (Etobicoke NDP)

From the Huron-Perth Roman Catholic Separate School Board:

Devlin, J., Trustee
Eckert, M. W., Director of Education and Secretary-Treasurer
McCauley, J. M., Superintendent of Education

From the Monsignor Johnson High School Parent-Teacher Association:

Bonk, J., Member
Brewer, J., Chairperson

From the Ontario Secondary School Teachers' Federation, District 52, Lennox and Addington:

Dodd, P., President
Peart, P.



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Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament

Wednesday, October 16, 1985

Afternoon Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 16, 1985

The committee resumed at 2:05 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: We are running a little behind time. We have a basic quorum, but I will have to convey to the various whips directly the fact that we are going to have to have more prompt attendance guaranteed from each of the caucuses. Perhaps the fact that we are back in the House and not used to the new schedules is what is causing the problem. We were very good about starting promptly all summer. I would like us to try to maintain that if we can.

The first group coming before us is the Hamilton Women Teachers' Association, Ms. Tindall; and any colleagues?

Ms. Tindall: No.

Mr. Chairman: Just yourself, left alone to fend for yourself?

Ms. Tindall: I am afraid so.

Mr. Chairman: So much for solidarity. I always get worried when people are confident enough to come up alone. Welcome to the committee.

HAMILTON WOMEN TEACHERS' ASSOCIATION

Ms. Tindall: The 1,100 members of the Hamilton Women Teachers' Association would like to thank you for this opportunity to express our opinion about the impact on elementary schools in Hamilton of extending full funding to all separate secondary schools.

We feel frustrated in doing so, however, in the full knowledge that funding is already being implemented. It is disappointing to live in a province which has extended separate school funding without legislation, a decision on constitutionality or full parliamentary debate.

During the last election, voters were frustrated by the lack of choice since all three political parties supported the funding. Judging by the number and tone of the many presentations to this committee, a large portion of the population still holds strong views in opposition to Bill 30.

We recommend that the government delay implementing extended separate school funding until the constitutionality of the proposed legislation has been determined and that a free vote in the Legislature be held on Bill 30.

We understand the bill has still not gone to the Ontario women's directorate. Is that correct?

Mr. Chairman: I cannot tell you that. I would presume that it has had access to the bill, as anybody else has.

Ms. Tindall: Historically, the decision to have two separate school systems was not an easy one. The issue was hotly debated for over 30 years, from before the rebellions of the 1830s in Upper and Lower Canada until Confederation.

The struggle centred on the Anglican Church, the Catholic Church and the governing bodies. The general population did not participate in the struggle because education was understood to be an upper-class affair. The public school system in Upper and Lower Canada developed primarily in accordance with the wishes of the Anglican and the Catholic Churches and was, for much of the time, under their control.

In Lower Canada the Catholic Church played an important role in preserving the culture of the French-Canadians. In Upper Canada, grammar schools were established by the Anglican Church and Conservative leaders, mainly for the upper class. Eventually, the middle and lower classes became strong enough to win some demands, but education in Upper Canada remained largely in the hands of the Anglican Church.

Through the pre-Confederation history of Canadian education, the Church of England and the Catholic Church fought vigorously for the right to have their religious doctrines incorporated into the public school program by constitutional means. In Lower Canada, the Catholic Church had complete success, while in Upper Canada the Anglican Church was partially successful and in each jurisdiction educational privileges were granted for the minority religion.

By 1867, church, state and educational leaders were in favour of a Confederation that was based on existing educational policies. They worked together for a program that would be least offensive to all groups in all provinces.

The result was a guarantee of separate school education in Ontario. But the Ontario of 1985 is

not the Ontario of 1867. To a large extent, Canada has overcome the racism and the bigotry of the 19th century in favour of a multicultural society, a society where differences are respected. If separate Catholic schools did not exist, it is unlikely the Ontario of today would create them.

Confederation guaranteed the right for separate schools to exist and the right to maintain what already is. But is it in the best interests of our children to extend funding to that which was created to foster bigotry and intolerance? No. Children learn from many sources—their parents, television, neighbours, peers and schools. A good public school system has been created with a climate of harmony and respect, and it will do much to keep our society free from bigotry.

In this age of recognizing human rights, full funding of the separate school system must logically lead to public funding of all religious and private school systems. This is counterproductive to a strong public school system. The Hamilton Women Teachers' Association is opposed to any public funding of private schools. Our society needs a strong public school system which can teach respect for all religious values and further a harmonious society.

We recommend that no further public funding be provided to private schools, whether religious or secular. It is the intention of this brief to outline some of the effects separate school funding may have within the Hamilton Board of Education. We believe Bill 30 will be expensive, divisive, a misuse of funds, and will create discontent.

The Hamilton Women Teachers' Association questions the extravagant cost of implementing full funding. Mr. Davis originally estimated the cost at \$40 million. That price tag has been revised upwards to \$150 million, to be borne by all taxpayers in Ontario. However, that is not the only cost.

In a letter to the educational management committee of the Hamilton Board of Education, our director of education stated that full funding would result in a loss of grants approaching \$1 million per year and a loss of assessment from the public to the separate school board of approximately \$150 million.

Meanwhile, the commitment in real dollars to the public elementary system continues to lag behind that of the secondary system. In 1984, the elementary grant ceiling was \$2,297; the secondary received \$3,140, a difference of \$843. That grant ceiling was raised for 1985 to \$2,396 for elementary, an increase of \$99, but the second-

ary grant was increased by \$135. That makes a difference of \$879.

Add to that the decline in the province's share of educational costs. In 1984, the provincial government paid 47 per cent of local costs, down from 61 per cent in 1975.

Does the province not believe that five-year-olds are very important? If elementary students are considered at least as important as high-school students, we suggest that the \$150 million earmarked for full funding be used instead to hire 4,000 extra elementary schoolteachers for the public and separate schools in the province. That would have a positive and immediate impact on education by significantly reducing class size.

Smaller class sizes are believed to increase achievement, especially in reading and math in the primary grades, positively to affect scholastic achievement, especially of disadvantaged children, and to have a positive effect on behaviour.

North York educational researchers Pat Crawford and Dorothy Peebles studied why parents transfer their children from the elementary public school system. They found that one commonly cited reason was having classes which are too large and thus unable to provide children with adequate individual attention. It is rumoured that early primary projects strongly favour smaller class sizes. We hope this project will be implemented soon.

The primary philosophy of education is not what it was in the early 1950s and 1960s. We all remember sitting in straight rows in crowded classrooms of 35 and learning to read Dick and Jane in unison. Some of us might remember learning to print with the pencil firmly held in our right hand, although it would have been much easier if the teacher had let us put it in our left.

The emphasis is on individual learning, which takes learning modalities into account. Primary teachers are mandated to teach to the needs of each child. Play-oriented programs are now the norm in Hamilton, as are group activities, learning centres and open-concept classrooms.

Add to this the additional programming needed to meet the needs of children deemed exceptional. Can each child get the best education possible in a classroom of 30 or more children? There are such classrooms in Hamilton.

All of these programs need to be augmented with the appropriate equipment. We need computers and software to prepare for the future. There are some schools in Hamilton with 250 children and one computer. We need videocassette recorders to take the best advantage of

educational television. We need child-operated tape recorders, listening centres, film-strip projectors, record players and all the paraphernalia that go with it. We need fully equipped libraries, and they need to be staffed by full-time teacher-librarians.

We must not overlook those little mundane things such as pencils, crayons, notebooks, scissors and glue. Imagine a grade 1 child's disappointment when she learns that there will be no red valentines because the allotment of red construction paper was all used up by Christmas. The glue is going to run out by April. One school in Hamilton recently had its videocassette recorder stolen and it will not be replaced; the budget will not allow it.

We recommend that the provincial government increase the grants for elementary schools to at least the level of secondary school grants.

With the implementation of full funding to the separate school system will come the creation of two parallel school systems that will be competing for students. Competition is valuable and much to be desired in the business world; however, it could be disastrous in education.

Our school systems could be in danger of becoming the Pepsi and Coke of education. These cola companies have spent vast amounts of time and money competing with each other to grab a larger portion of the soft drink market. They have created new products and dropped old favourites in an effort to gain the upper hand, much to the consternation of some of the buying public.

It is not inconceivable that should Bill 30 become law, our school systems will spend their time and money adding, altering or cutting courses, not because they are seeking quality education and not because they are trying to reflect new learning theory, but rather to increase the size of their student bodies. The packaging will become more important than the product.

Another possible side-effect would be the lowering of standards to keep students. We have all heard stories of colleges that bend over backwards to attract and keep star athletes at the cost of quality education. Are the schools of Ontario going to be able to resist the temptation to lower their standards that if means keeping students?

In Hamilton the extension of full funding is expected to result in a loss of up to 1,200 students and 57 teachers. Six Hamilton elementary schools have been closed since 1980 as a result of declining enrolment. The continuation of this trend is inevitable when we consider the number

of students who may now transfer to the separate school system, combined with the pupils who have this year begun their education in separate rather than public elementary schools.

When the plans for closure of Sherwood Heights Junior School were made public, many angry parents petitioned and campaigned door to door and made a presentation at a board meeting. They produced and distributed a flyer. This year one more Hamilton elementary school is being considered for closure and the fate of this school is dependent on the transfer out of as few as 15 pupils.

Parent groups in Hamilton recognize the value of their neighbourhood elementary public schools and they continue to voice their concern about school closures as they actively campaign to save their schools. When a neighbourhood school closes, parents worry about the increased travel for their children. We are all too aware of the additional dangers young children face upon leaving the security of their neighbourhood.

The presence of a vacant school building will affect the value of residential property and attract vandals. We can predict the negative reaction of Hamilton taxpayers required to support education despite the loss of their neighbourhood schools. It is important to realize the importance to these people of their small schools and to endeavour to keep them open.

We, therefore, recommend that special small school grants be provided to retain community public schools which otherwise might be closed because of transfers to a separate school.

2:20 p.m.

The Hamilton Women Teachers' Association was unable to find any ways in which Bill 30 would be beneficial to the public elementary schools in Hamilton. It urges this committee to consider the following recommendations:

1. That the government delay implementing extended separate school funding until the constitutionality of the proposed legislation has been determined;

2. That no further public funding be provided to private schools, whether religious or secular;

3. That the provincial government increase the grants for elementary schools at least to the level of secondary schools;

4. That the special small school grant be provided to retain community public schools which otherwise might close because of transfers to the separate school.

Mr. Chairman: Thank you very much, Ms. Tindall. We have had many representatives of your organization coming forward presenting

views very similar to your own. We have appreciated that and the arguments concerning the costs of primary education and the need to bring the funding levels together.

My impression of Hamilton seems slightly different from yours. I wonder if you can clarify it for me. We have had a number of presentations from Hamilton. I do not have any of them with me, but my notion was that there were two very mature systems already fairly fully developed, and that the Catholic high school system was operating through to grade 13 in a number of high schools, quite unlike most areas of the province where it has been restricted to grade 10 at this point.

Can you tell me what percentage of Catholic kids are actually in the public elementary system?

Ms. Tindall: When I phoned the board and requested that information, I was told they did not keep that kind of statistic and that I would have to contact each of the 72 elementary schools and ask the secretary if she would take time out of her day to count up the number of children she knew might transfer to the separate schools.

The board has never kept those statistics. Perhaps this is something it will have to look into doing in the future. Those children will have an impact on our system.

Mr. Chairman: My impression was that at the present time the vast majority of Catholic kids were going all the way through the separate system in Hamilton already. We heard that from both the public board and the separate board, which were Hamilton and Hamilton-Wentworth. Therefore, we were not expecting the impact in Hamilton to be very severe at all.

Ms. Tindall: I started to phone schools and ask those secretaries those questions. From the small number I contacted, I would guess that it is about one seventh of the school population. That is very inaccurate because of the small number of schools I contacted.

Mr. Jackson: On that point, on page 6 you make reference to some numbers, 1,200 students and the potential loss of 57 teachers. Could you explain how you got a handle on that figure?

Ms. Tindall: Those are the figures of Mr. Arnold Krever, the director of education for Hamilton. I took those from a letter he presented to the economic management committee of the board. I am afraid I cannot support his figures or deny them.

Mr. Jackson: It is clear he has indicated that was a worst-case scenario. In fact, the numbers

in the Hamilton area, as the chairman has indicated, would suggest there has actually been a net increase of students for the secondary system. We asked him about the elementary impact and he felt somewhat unsure, but felt there was not as significant an impact or as noticeable a trend with transfer elementary students.

The committee is very anxious to get some hard numbers on this in any jurisdiction where we are seeing elementary transfers as a consequence of the implementation this September.

Ms. Tindall: Those are the kind of numbers I would very much like to have been able to get a handle on as well.

In the paper last night, Mr. Krever is quoted as saying that 95 students who were in the Hamilton public high schools last year have switched to separate high schools. That would be as a result of the September 30 class size numbers and so forth. There are no numbers listed here for elementary schools at this point, although the Hamilton elementary schools have lost 234 pupils.

Mr. Jackson: That could be declining enrolment.

Ms. Tindall: That could be one of the factors. New housing in Ancaster might be another factor. There are a couple of reasons we could be losing students.

Mr. Jackson: The long-term projections that have been made and shared by all groups in the Hamilton board have indicated such a decline. There are no real surprises in that decline from what was speculated or projected a year or two ago. That was my understanding when we looked at those numbers.

There is nothing extraordinary about that number that has anything to do with the funding. It may have some impact, but it is essentially a phenomenon of declining enrolment.

Ms. Tindall: I would agree.

Mr. Chairman: I am glad you reminded me, Mr. Jackson, because when we had the five Catholic high school principals here, they basically told us that either the numbers were identical or there had been a small drop of, say, 14 students or eight students in their September 30 number. They said there may have been a transfer of 95, but there was a net decline or the status quo was holding in the actual numbers in the Catholic separate school system this year.

Mr. Jackson: They were here on September 29 or around that date.

Mr. Chairman: Are there other questions from committee members?

Mr. Jackson: If there are no further questions, I would like to pursue one that emerged this morning and one that I thought might have found its way into your brief. I will quote you a recommendation from the brief of the Lennox and Addington Ontario Secondary School Teachers' Federation, District 52. It was a very good brief. They recommended:

"Subsection 136r of Bill 30 be amended to require that the Commission for Planning and Implementing Change in the Governance and Administration of Secondary School Education in Ontario not be permitted to approve board of education plans which decrease the overall percentage of women within a school or within a board or which eliminate women from any subject area in any school. Where the plan submitted would cause such an effect and no other solution can be found, subsection 136l(8) should obtain..." and it goes on.

Can you give me a reaction from your specific perspective on that issue of the disparity that would be created from those teachers who would be declared redundant, who are predominantly women and who are obviously young, which would skew the overall ratio in the Hamilton district?

Ms. Tindall: I know that situation is happening in the mathematics and sciences area in Hamilton. In the past couple of years, women have been moved into high profile, role model jobs where they are seen by young girls as having a slightly untraditional place in the school.

As Lennox and Addington said, with declining enrolment, the people who get dropped off first are the people who were the last ones in. In that case, it is those women who are in the mathematics and sciences who will not be holding their jobs. Then those good role models will disappear. We will be back to schools where the men have the positions of added responsibility and the women are the classroom teachers. That is a situation we would very much like to change.

Mr. Jackson: Given that we have identified that as a problem, do you have any suggestions for the committee, other than the one we received this morning, which was if it creates an imbalance, and in most jurisdictions it does, it would be an inequitable transfer of female teachers to male teachers? They recommend that we do not implement the plan. Do you have any suggestions for us in terms of a way in which to cope with that problem?

Ms. Tindall: I guess if mandatory affirmative action had come in about five years ago, it would not be a problem now.

Mr. Jackson: Are you suggesting that if we put in mandatory affirmative action, we could enforce something of this nature?

Ms. Tindall: I do not think it would make the problem go away.

Mr. Jackson: It is a form of affirmative action. Would you support that by having it in the legislation to ensure that the problem begins to undo itself.

Ms. Tindall: If I could be convinced that would be an effective solution for the problem, then it would have my support.

2:30 p.m.

Mr. Chairman: One of the other balancing factors to assist us in dealing with the other end, those with greater seniority who are primarily males, is to enhance the early retirement packages so one could bring in new teachers and maintain the mix of sex or increase the female role models within the system.

Ms. Tindall: Certainly. Our economic policy committee has unsuccessfully proposed an early retirement scheme in our board, but perhaps that will encourage the board to look at it again.

Mr. Chairman: The committee is also looking at a recommendation in that area.

Mr. Jackson: Is that a statement of clarification or a party position?

Mr. Chairman: I was just saying that there are other options to look at. If you are worried about how mandatory affirmative action and protecting jobs at that end would work, then perhaps the other means is to make it easier for people to retire at the upper end; provide the protection so that women could gain greater seniority.

Mr. Offer: I have a supplementary to Mr. Jackson's line of questioning. With respect to the protection of the percentage of younger teachers in the system who are predominantly women, what protection is now in your collective bargaining agreement for the protection of younger women with less seniority who may lose their jobs because of declining enrolment?

Ms. Tindall: We have a seniority list and all teachers are somewhere on that list. It is strictly a last one hired, first one fired kind of a list. If I had taught for 10 years and then left the board to have children or to get married or to go to another board, for any of a variety of reasons that women might have for leaving as they follow their

husbands, and a couple of years later came back and said I would like to hire on again, the fact that I had taught for 10 years previously in Hamilton would not be taken into account.

I would be right back down at the bottom of the list even though I could say: "I am an old hand. You know what a marvellous teacher I am. I have been here 10 years." They would say, "Yes, but—"

Mr. Offer: I would use the word "experience" then. You are saying there is no collective protection.

Ms. Tindall: That is written into the collective agreement, but it is not as beneficial to the women as it is to the men, who tend to have a long, unbroken service record with any given board.

Mr. Offer: By commenting with respect to Mr. Jackson's question, you are stating you believe that with any declining enrolment based on the implementation of the extra funding to separate schools, there ought to be certain protection for the younger women in the teaching profession. Yet there is not that protection now, to that same group on account of natural declining enrolment.

I am wondering if there is any justification for distinguishing that type of declining enrolment in the event the courts deem this to be constitutional. I do not know if there is really a difference in the declining enrolment, be it natural or through the extension of funding, if the courts declare this legislation which is now before them constitutional. I would like to get your sense of that particular distinction.

Ms. Tindall: We would be very unhappy to see any of our members lose their jobs as a result of the extension of funding. Right now Hamilton is hiring. There were 51 teachers put on probationary contracts this September and 47 of those 51 were women. Probationary contract means that they might not be with us next year or the year after if the enrolment declines.

A great many of those teachers were hired for new programming. We recently put French into grade 4 and that has resulted in a lot of teachers being hired. If down the line, the trustee decides that there are other places the money needs to go, then that program and those teachers will be gone. If that decision comes down within two years before the probationary contracts become permanent, then those 47 women will be out of a teaching job in Hamilton.

Mr. Offer: The reason I bring it up is that in the past I have asked the question whether we can

maintain a particular percentage of women so that at least the existing percentage of female and male teachers in the system can remain the same and the female percentage will not decrease.

I was intrigued by your response to the particular question. I can assure you that it is one we are interested in and trying to grapple with, so that employment will be secured with respect to its implementation.

Mr. G. I. Miller: I have been listening to the comments and I think men are not getting equal rights, when they are hiring so many ladies over men teachers. In the figure you gave, Ms. Tindall, 51 out of 60 were women teachers.

Ms. Tindall: I would suspect that either gentlemen were not applying for the position or that women were qualified for those positions and men were not.

Mr. Offer: Well put.

Mr. G. I. Miller: There has not been any reduction because of extended funding this year in the Hamilton system. There has not been a reduction of jobs; they have really increased.

The feeling we seem to get around the province is that there has not been a loss of jobs. Some may have been shifted back and forth, but there has not been a great deal of concern. It seems to have fit in quite nicely. I do not know whether you are aware of that and would like to make a comment.

Ms. Tindall: I cannot speak for the rest of the province, but in Hamilton the increase in staffs was because of the increases in programming.

Mr. G. I. Miller: With Bill 82 maybe.

Ms. Tindall: Partly Bill 82, certainly. I know of three women who came into the system directly as a result of Bill 82. There are certainly many more out there I am not aware of. Those things will continue to have an impact and will continue to cost the board money to implement. That will mean more teachers.

Mr. Jackson: I am back on this point of surplus redundancy. You do not have program protection in your surplus redundancy clause. It is just a straight line in surplus and redundancy in the Hamilton region, unlike the Halton one.

Ms. Tindall: There are a few protective programs.

Mr. Jackson: Do you support the notion of strengthened program protection for the redundancies and the designated need, and then tying that to a certain mix of male and female within a given secondary school?

Ms. Tindall: I am not sure I understood that.

Mr. Jackson: Their program protection is nongendered right now. It just happens to deal with having to retrain for that department. Would you see us evolving surplus and redundancy clauses to a point where we said not only would program be protected but we will not raid the last female teacher in the science and math program in the school?

In other words, go one step further in terms of an area to arrive at some solution in maintaining off of the designated list. I am shifting from surplus to redundancy to designate, but essentially when their number is up their number is up.

Ms. Tindall: Would you keep the same percentage of male to female? If in a math department there were four teachers and one of them was female, would you say that program is protected and we will keep one quarter?

2:40 p.m.

Mr. Jackson: If you are asking me what I would like to do, I would go for more natural equity and say the department was not truly equal unless there were two female teachers. That would be the intent.

Ms. Tindall: On the surface, it sounds as if it would protect women's jobs, which I am in favour of, but I am not sure that the other side of the coin is that it would discriminate against men teachers, who have just as much right to hold on to their jobs as the women teachers do.

Mr. Jackson: But the system now discriminates against women. That is clear.

Ms. Tindall: Yes, and we are working to change that.

Mr. Jackson: No matter how you move back to that equity, you are going to have a form of reverse discrimination. It is not a catch-22 question, believe me. I am just saying it would be impossible to avoid, getting back to an equity position or moving towards it for the first time in this case.

I just wanted to test your general support for this committee moving in that area. I happen to believe in program protection on this issue. There is little, if any, discussion about tying it to an equity between male and female teachers within program protection.

Ms. Tindall: That is a concept I had not considered before. I think it has some merit. I have some more thinking to do about it certainly.

Mr. Chairman: Ms. Tindall, maybe you would like to think about it and discuss it with your colleagues. Then if you have further ideas

for us, please feel free to write to me and I will make sure your thoughts are distributed to the members. With that kind of an issue, it is a little hard dealing straight on like this.

Ms. Tindall: Thank you. It has given me something to think about.

Mr. Chairman: One thing you raised, which I have a little difficulty understanding how we could implement or put into the act, is the idea of a special fund for elementary schools which may close because of the shift of students to the Catholic system. The one problem is how to identify the cause as separate from declining enrolment.

How would you know people did not put their kids into the the Catholic system for that very reason? That is pretty difficult to know, especially when you are talking about as few as 15 students, as you do in the case of one school. Do you see this as just something you want for students in schools that are closing because of the move to the Catholic system, or do you want this as some sort of revision of the present school closing policies to keep small community and neighbourhood schools open?

Ms. Tindall: I think the reason a school closes—the school has declining enrolment and then is slated for closing—is not important. I have been to a number of board meetings where parents have made presentations about their neighbourhood school, and they really do want them in Hamilton.

They are very upset when they close, and the issue does not end with the closing of the school. I think that is something taxpayers in Hamilton—certainly those with children in those neighbourhood schools—are very concerned about. They would be anxious to keep them open any way they could.

Mr. Chairman: It is more general than just the specific recommendation?

Ms. Tindall: Yes.

Mr. Chairman: I would like to thank you for coming and especially for the discussion around affirmative action. I always feel a little awkward, as a member of the Legislature with its handful of women, when we talk about affirmative action programs or early retirement programs to make room for more women. Maybe it is something we should be looking at here a little more seriously.

Mr. Jackson: We will start looking for a candidate in your riding right away.

Mr. Chairman: I was going to say I may just have to take the initiative on this one as I myself

am likely to get a female candidate. We appreciate your coming.

Ms. Tindall: Thank you very much.

Mr. Chairman: Our next presenter is one C. Jackson. Mr. Jackson, do you really want to make a presentation? You do not feel you are getting enough—

Mr. Jackson: You have not been listening to me, Mr. Chairman.

Mr. Chairman: What a thing to say. You know I hang on your every word.

Mr. Jackson: You hang me on every word I state, is more appropriate.

Mr. Chairman: I try, but I get as good as I give. If that is the case, that Mr. Jackson is not here, we will move on to our next presenters, who are here. Cam Jackson, the honourable member, is here; the presenter, C. Jackson, does not seem to be.

Our next delegation, the Prince Edward County Board of Education, was slated for 3 p.m., but its representatives are here and so we will ask them to come forward. It is item 813, members, and a correction already has been distributed to you for you to place in your copies of the brief.

PRINCE EDWARD COUNTY BOARD OF EDUCATION

Mrs. Hart: We from the Prince Edward County Board of Education would like to thank the members of the standing committee on social development for this opportunity to defend our submission on Bill 30.

Before presenting our brief, I would like to introduce the members of our group: Mrs. Sharon Campbell, trustee and a director of the Ontario Public School Trustees' Association; Frank Kinsella, on my right, our director of education; and Chris Salt, our superintendent of business. I am Ruth Hart, a trustee and chairman of the steering committee on Bill 30. We also have in the audience Chuck Durant, past president of our local Ontario Secondary School Teachers' Federation branch affiliate, who has joined us on this occasion as an observer.

There are two items we felt should be inserted, and I believe you have referred to those, Mr. Chairman. We beg your indulgence in these additions, but they became necessary after the original brief was submitted. When reading the brief we will mention where they form part of our submissions so you will not have to keep scrambling. Mrs. Campbell and I will share reading our brief into the record.

Prince Edward county's foundation is an agricultural base. More than 20 per cent of our residents are retired. As a small board serving a rural community that is much more responsive to local social attitudes, we represent the backbone of Ontario society. Our resources are limited, but we maximize what we have. What we have to say is important because we represent the typical rural board of education in Ontario.

So much has been said by so many that it is difficult to be profound and insightful. The art of persuasion is the art of argument. The Prince Edward County Board of Education would like to persuade you that Bill 30 is not a sound piece of legislation for the shaping of Ontario society. To further our position, we will focus on some simple principles that advance our case. The first deals with ideas and content versus image and style. The second addresses the complexities of compliance and capacity.

Mrs. Campbell: Ideas and content versus image and style focuses on a central question that we in the public education system consider central to the extension of funding: What do you, the lawmakers, expect of public education? Listening to the debate on the second reading of Bill 30, there was a prevalent undertone that the public education system had failed and that there was need to bring in the idea of choice from the marketplace to rectify the situation. Let us further examine this hypothesis.

The American public has been exposed to numerous reports and commissions, the best known of which is Nation at Risk. These reports have all tried to awaken the public to a crisis that exists in education. Does the same crisis exist in Ontario? It appears that members of the Legislature feel this is so. How exactly has the public education system failed?

Public education systems are a product of the Industrial Revolution. Society needed a mechanism to socialize young people in how to handle group situations in a tolerant and socially acceptable manner. The extension issue is an emotional one, which in some countries would have sparked riots, bombings and killings. In Ontario, the government has been subject to lobby groups peacefully expressing their different views. There have been no riots, bombings and killings. This would indicate that the public educational system has been a very effective and successful socializing agent.

2:50 p.m.

Much has been said concerning the early debate about which of two paths Ontario education would follow, that of John Strachan

for a segregated, elitist system, or that of Egerton Ryerson, which supported a system of education available to all to provide equality of opportunity regardless of economic status. During the ensuing years, Ryerson's philosophy of education prevailed but not without much debate and many setbacks. Is the historical process not cyclical and are we not at the same point today, redebating the same issues that Strachan and Ryerson raised 100 years or more ago?

Mrs. Hart: Can public schools be scholarly, respectable and at the same time open to all classes of people? Yes. The Prince Edward County Board of Education has addressed this question by adopting the following:

"That the Prince Edward County Board of Education support the principle of public education which is universal, free and is based on the long-standing beliefs of quality education and equality of educational opportunity."

One foundation stone of Ontario public education has been equality of educational opportunity. For the first time, educational systems will be able to exclude students if Bill 30 is legislated. The Prince Edward County Board of Education does not support section 136o of Bill 30 and recommends that this section be amended.

Subsection 136o(1): "A person who is qualified to be a pupil in a secondary school operated by a public board is entitled to be a pupil in a secondary school operated by a Roman Catholic school board if,

"(a) the public secondary school is in the area of jurisdiction of the Roman Catholic school board; and

"(b) the director of education or, if there is no director of education, the appropriate supervisory officer of the Roman Catholic school board certifies that there is accommodation available for the person in the secondary school operated by the Roman Catholic school board."

Subsection 136o(2): "A person who is qualified to be a pupil in a secondary school operated by a Roman Catholic school board is entitled to be a pupil in a secondary school operated by a public board if,

"(a) the Roman Catholic secondary school is in the area of jurisdiction of the public board; and

"(b) the director of education or, if there is no director of education, the appropriate supervisory officer of the public board certifies that there is accommodation available for the person in the secondary school operated by the public board."

Mrs. Campbell: Much tribute has been given to the Catholic separate school system for the discipline that exists within its schools. By

inference, this indicates that discipline is lacking within the public education system. This is another example of style and image versus ideas and content.

Any secondary school in Ontario that caters exclusively to academically advanced and general-level students can boast of having outstanding discipline because these are the keen students. Even with that elite academic group, past practice has shown that when a discipline problem erupts, the separate school employs the "shape up or ship out" option. Problem students face discriminatory exclusion. Where do these excluded students go? They enter the public school system, because our mandate is to accept any student regardless of social, economic or religious status. This has been the past practice of the separate school system and is one more major reason why this board is opposed to the right to exclude contained in section 136o of Bill 30. Second, if the same right were extended to public schools, where would behavioural-problem students attend school?

When legislators talk about public education, what is your frame of reference? A majority of people have in their minds a strictly academic program leading to university-level education. During the 1960s, secondary schools were educating approximately five per cent at the grade 13 level. Many students were excluded from entry to this program for fear of bringing down the achievement level and standards of the specific secondary school. "Drop-out" was a term coined to make this action undesirable. The secondary schools responded and the retention rate of students in the schools went up. The result was a broader range of students taking advanced-level courses. The selection process or, as viewed by some, the discrimination, was eliminated. Standards were affected because the range of general abilities of the students had been broadened.

Mrs. Hart: Following closely upon this trend was the introduction of technical and business education in all secondary schools. This educational opportunity was offered on a universal basis to all students of Ontario, where previously it had been exclusive, similar to the entrance to grade 13. The principle for expansion of these programs was universal access and equality of educational opportunity. This changed the character of most secondary schools in that they were no longer exclusively academic institutions.

Bill 82 extended the program offerings further to an even wider range of students. No longer does a public secondary school cater to an elite

group of academic students. The same cannot be said for Ontario's separate secondary schools. The characteristics that are perceived as virtues in the present-day separate secondary schools are the same characteristics that were perceived as faults in the public secondary schools in the 1960s.

The public perception being created is that separate schools are academically superior to the public system. With their advantage of viewing the devastating financial burden to public systems to equip, maintain and continually upgrade technological and business programs, the separate system may now choose to purchase such programs from the public boards.

This places a twofold burden on public boards: (1) There must be assurance of the calculation of tuition fees that actually pay for the costs of such high-cost programs. (2) The farming out of such nonacademic courses perpetuates the myth that separate schools are academically superior; thus the public continues to see an emphasis on academics in the separate system.

Mrs. Campbell: Public secondary schools are charged with the education of any student who wishes an education regardless of intelligence or physical or emotional ability. Bill 30 will change this and allow elitism back into the educational system. Is this what you want? If you give this right to the separate secondary school system based on religion, can you give the same right to the public system? What will happen to all the children with special needs who prevent a school from maintaining high standards? After all, parents want their children to go to a quality school. To become this, we would need to exclude the low performers.

To date, public secondary schools have not failed in providing equality of educational opportunity for all children, regardless of social or ethnic background. We have been successful at socialization. We have successfully addressed the changing need to provide for all levels of achievement of students. Where have we failed? Have we failed to communicate these successes to you and to the public?

Many teachers feel that if they are doing an excellent job, others, like yourselves, will recognize this and they will be rewarded. Since this has not happened, the federations of teachers have become more powerful and demanding. Have the teachers failed because this has occurred? We need help and understanding of what you, the lawmakers, expect of public education.

The key to education is the teacher. The higher the qualities the person brings to teaching, the better the teaching. In the public secondary schools, children receive instruction from Ontario-certified teachers. These teachers adhere to the qualifications which you, the legislators, deem desirable for the students of Ontario. These are outlined in the Education Act and the regulations. For students attending grades 11, 12 and 13 in the private schools of Ontario, including the separate secondary school system, this has not been the case. With the possible implementation of Bill 30 this September, the separate board in our area had to terminate the contracts of a number of teachers because they did not hold Ontario certification. Ontario public schools have Ontario-certified teachers.

Public education has not failed in its mission to provide for the students of Ontario. We have succeeded but have neglected to market our achievements.

3 p.m.

Mrs. Hart: What effect will Bill 30 have on Prince Edward county specifically? In the county, which is often thought to be predominantly United Empire Loyalist, there is a wide range of ethnic origins and expectations of our school system. A central core demands discipline and religious instruction in the school. Local public school supporters, many of whom wish more religious instruction in our public school system but are denied it because of opposition from minority groups, will be in the position of helping to pay for a considerable amount of religious instruction in the separate system.

These same people feel that if full funding were granted to separate schools, the next step in all fairness would be extension of funding to Christian schools and those operated by other religious groups. If this occurs, we feel our public school system will be so eroded and diminished that we shall no longer be able to offer all subjects and options. Our public school enrolment will decrease, causing disruption and displacement for many students. Declining enrolment has greatly decreased the programs we can offer to the students of Prince Edward county. Combine this with extension to all religious groups and Prince Edward Collegiate Institute would become a very small secondary school with limited program offerings.

Mrs. Campbell: A major argument of the separate system for extension of the system is the necessity to maintain the catholicity of the school curriculum and school atmosphere from junior kindergarten to the end of grade 13. This

currently can be accomplished only by the payment of tuition fees for attendance at a private school, following completion of grade 10 at a separate school in Belleville.

Catholic students from the Picton area currently attend Prince Edward Collegiate Institute. For their unique needs to be met, it would be necessary to transport them to Belleville. Local school officials feel that a number of students would not accept busing. This creates two distinct groups of separate school students: those who attend a separate system for all grades, and those who are part of the public system milieu for at least part of their school life. If the catholicity of the school curriculum and school atmosphere is so important for Catholic students, why is the latter arrangement acceptable for some students but not all?

Mrs. Hart: The second issue to be faced is compliance and capacity. The Ministry of Education set up a process of planning and review for the extension of separate school funding. The Hastings-Prince Edward County Roman Catholic Separate School Board invited trustees and administration to listen to their planning brief. We were told that our role was to hear the brief, no more and no less. Following this, we complied with the process and submitted an impact statement. Did we agree with the process? No. Did we comply like law-abiding citizens of Ontario. Yes.

The Conservative Minister of Education, followed by the Liberal minister, pointed to the boards in Ontario that complied and stated that approximately 40 school boards had reached agreement; so why did the other boards in Ontario not follow suit? We were one of the 40 boards. We did not and do not now agree with the extension of funding to separate secondary schools, yet we are part of the sample. We complied with the government orders, and no more.

At this point, I will read addition number one. Our board is currently involved in discussions with our coterminous separate school board about the transfer of staff that may be necessary as the extension of funding proceeds. Because we have Roman Catholic students enrolled in our elementary system as well as in our secondary system, the Prince Edward County Board of Education views the transfer of personnel in both panels as an important issue.

At our latest meeting, September 30, 1985, our coterminous separate board still refused even to discuss the matter, stating quite openly that it will not do so until legislation forces it. We

believe the planning and implementation commission policy on personnel transfer does not exclude elementary personnel and, therefore, the issue is open for negotiation.

At the taping of a Canadian Broadcasting Corp. news program in Ottawa on September 24, 1985, the Minister of Education (Mr. Conway) responded to a question about the possible displacement of elementary personnel by assuring that the guarantees of job opportunities were for all teachers. The position of our coterminous separate board cannot be considered co-operative.

Mrs. Campbell: In 1979, the Ontario Legislature, with agreement of all parties, passed the special education legislation titled Bill 82. The school systems were given five years for full implementation. This action recognized two key concepts, compliance and capacity. School boards across Ontario took steps to implement Bill 82 and comply with the wishes of the Legislature.

Not everyone agreed with the concept, but everyone adhered to the law. Recognizing the tremendous cost of implementing this requirement, additional funds were made available to enable boards to have the capacity to deliver special education programs. This affected all school systems.

If Bill 30 is passed into legislation, the Prince Edward County Board of Education will comply with the law; whether we have the capacity to implement it remains to be seen. With the introduction of Ontario Schools, Intermediate and Senior Divisions guidelines, there is dislocation among students: those on the old HS1 and those on OSIS. Our secondary school enrolment is declining, resulting in a yearly review of course options. We are faced with the problem of what a sound program level is for all students, below which we will not cut.

Our technical shops, most of which were created in the early 1960s, are outdated but too costly to re-equip. We cannot service a car newer than 1977 in our automobile shop. Our business department needs to shift to electronic equipment to properly train students. This requires a heavy expenditure of funds. All this is occurring at a time when funds for education are not increasing in proportion to the demands.

To further compound the problem, the Legislature is proposing the extension of funding to separate secondary schools. We are not talking about a new population, but of shifting a present declining enrolment. The net effect will be a

tremendous increase in the tax burden imposed on local taxpayers.

Who is going to pay for the long-term consequences of Bill 30? We do not have the capacity to deal with its effects unless the government is prepared to protect existing programs. How long can you afford to do this? You will need to face the financial burden of having the demands of a separate secondary system expanding and a public education system declining, with no new students involved. You will have created a duplicate system of education at a great cost to the public education system of Ontario. Why?

I will read in the second insertion. The Prince Edward County Board of Education has been experiencing declining enrolment over the past several years. Through the adjustment for declining enrolment, the ministry has provided much needed compensation to cushion the effect that declining enrolment has on overall grant support.

The enrolment shift grants to compensate boards for students lost through transferring to the separate system are calculated with a less advantageous formula. The formula for enrolment shift provides for 22 per cent funding, whereas loss of students through normal attrition provides for 60 per cent. In the case of a board the size of Prince Edward, the loss of students in our system has the same impact, regardless of how they were lost. Therefore, there should not be this distinction.

Mrs. Hart: The Prince Edward County Board of Education stands for the principles of public education, which are: (1) universal access, (2) it must be free, and (3) based on the long-standing beliefs of quality education and equality of educational opportunity. Bill 30 does not reflect these principles and we are, therefore, opposed to its passage.

A parent in our system stated: "I have no loyalty to any educational system. My children will go where they receive the best education." Does fragmentation produce the best education for the children of Ontario? The Prince Edward County Board of Education believes in public education and will work hard to make sure that any change will benefit those students who have been entrusted to our care.

We are opposed to Bill 30 and ask you, the lawmakers, to rethink your position and maintain only one public school system that has universal access and is free to all the students of Ontario.

Mr. Chairman: Thank you for the presentation and for your attempts to amend section 136,

which has been a challenge for all of us to look at. It is good to have a model to consider.

Although you seem to be presuming at the beginning that there is a negative view of public education in the province, all we have heard from people coming before us is what a wonderful system it is. This makes me wonder if we should be taking a closer look. I always hear from parents in my community that there are problems in the system at the moment.

What is the Catholic population of the county?

3:10 p.m.

Mr. Kinsella: It is five per cent in Ameliasburg. The county is broken into two sections. The part nearest the Hastings or Belleville area contains about five per cent of the population. It is a very small percentage.

Mr. Chairman: The only separate secondary school is the one in Belleville and currently some Catholic children are already going to that school. Do you have any idea how many come from the northern part of the county into Belleville?

Mr. Kinsella: We broke the number of students up with Quinte Secondary School. We cannot give you that figure. There is a separate elementary school in Picton. We normally retain 60 per cent of the students.

Mr. Chairman: So 40 per cent seem to go all the way to Belleville from Picton.

Mr. Kinsella: Except for this past year.

Mr. Chairman: What is the size of the school?

Mr. Kinsella: It has about 150 students.

Mr. Chairman: How many are in grade 8?

Mr. Kinsella: There are 20, of 162 students.

Mr. Chairman: A grade 8 class of how many?

Mr. Kinsella: They had 21 students last year. We anticipated we would receive 13 of them and we have received 19.

Mr. Chairman: That does not surprise me particularly.

Mr. Jackson: Following on that point, I could not help but be drawn to the point on your appended page for your addendum which refers to a breakdown in the dialogue on the impact on your elementary system. The obvious question is, do you have any evidence of a negative impact on your number of elementary students?

Mr. Kinsella: The greatest negative impact we are going to have would be in the Quinte area in one of our elementary schools. Our contention

is that none of us is really going to be a great predictor for about three years as to what the impact is going to be.

We have had an interesting phenomenon happen since the introduction. We do not know whether it is a statement by the separate school ratepayers or not, but the transfer of students from our system to the separate school system has been zero this year while we have received 24 students the other way. You can read into that what you wish.

In our projections we look at what is going to happen. If it is five per cent of a population of a school of 400, that is what we anticipate we will eventually lose if the legislation says students have to declare for both elementary and secondary education. If that is the case, then it is up to the separate school system to purchase that education from us and if it has a school in the vicinity, which it does in Belleville, why would it buy that education from us?

That is where we are going to lose the students; it is in the future, not now. That is one of the difficulties we have. It is no different than if somebody came to this board right now and said, "Would you provide education in another jurisdiction?" If it were not sound, we would not do it. The separate schools are not going to be any different.

Mr. Jackson: I appreciate that projected thought. I am trying to get at the nub of the point you make that you are not getting co-operation from the separate school board; that is a real issue. Given that we do not have recognizable numbers, it is clear that the process you are going through now is the second-year plans on which you have to reach agreement and table with the commission. Are those the discussions in which you are citing a lack of co-operation, or are we talking about both, because your plan has been approved?

Mrs. Hart: Yes, I think our latest problem with the separate school board at the secondary level was with our agreement for displaced teachers. Because we feel that down the road there will be elementary teachers affected, we wished to include elementary as well as secondary teachers in the agreement, which we saw nothing wrong with. The separate board absolutely would not discuss it and said, "Unless the legislation says we must, we are not prepared to."

Mr. Jackson: You are bound by the directives coming from the minister through the commission and we have the recent memo of September 16. I wish to quote from it, wherein they state on

the issue we are discussing, "Where there is an impact from extension in the elementary panel of a board of education, it is expected that a satisfactory arrangement on dealing with any impact is to be arrived at between the boards."

The operative words there are "where there is an impact from extension in the elementary panel." Given that we are dealing with your 1986-87 plan, and given that you have agreed it is not an immediate danger or an immediate indicator of elementary students transferring and therefore a loss of elementary teaching positions, why does that, in and of itself, become an issue for the planning and implementation commission and not necessarily one for us to deal with in regard to the legislation?

Mr. Chairman: Or do you think it is both?

Mr. Jackson: Perhaps.

Mrs. Hart: I think it is the principle of the way we are accepted, actually. If it has no impact on us or on the separate board, why not agree to have the words in the agreement now so that you do not have to go over it again when there is an impact?

Mr. Jackson: I find the whole process of two teachers' bargaining units bargaining with each other fascinating. We have a deadlock here.

Mrs. Campbell: In fact, we have had indications from secondary staff this year that they will not have a transfer because of extension. If that is the question, why are we discussing the possible transfer of secondary teachers? When we were discussing staff, it seemed appropriate to discuss the whole bunch of them at the same time and come to some sort of agreement in principle about what would happen to any of them.

Our area is totally rural and something like 90 per cent of our children are bused to whatever school they attend. In some instances, parents want all the kids in the family to be going to one school because it is easier coming home at night, the older ones with the younger ones, and so on.

This is a situation where we see that if parents are forced under the legislation to designate either separate or public, from junior kindergarten or kindergarten through to grade 13, this is where we feel we may have some loss in the elementary system in order for them to designate for the secondary portion. So it seemed appropriate to be discussing the two groups at the same time. We could not see why it would not be possible to do so and to save us some expense.

Mr. Jackson: When you tie it to the assessment issue, it makes a lot more sense. It

should be discussed at least. However, I do not think in the circumstances it should represent any form of blockage.

However, given that the minister has made a public pronouncement, I would hope that as a board you have written to him directly or would be willing to ask in this hearing that the minister publicly clarify that point and that he provide the assurances which are, as everyone agrees, noticeably absent from the draft bill and from the planning and implementation commission directive, other than the section I quoted.

Mr. Chairman: We will also have the commission before us in this next week and will be going over this latest set of guidelines they have put out. We will talk to them further about this whole question of the elementary panel being included because it is not explicitly included in the legislation as well.

Mr. Offer: This is more or less a supplementary with respect to this discussion with your coterminous separate board on the inclusion of elementary school staff and the problems which have arisen. Apart from that, what other types of co-operative discussion have you had with your coterminous board?

Mrs. Hart: We have not actually had co-operative discussion. We have co-operated with them by providing family studies, industrial arts programs and special education for them. Our actual discussions with them have not been of a co-operative nature from the beginning.

3:20 p.m.

Mr. Offer: When was the beginning?

Mrs. Hart: December 1984.

Mr. Offer: Can you give me some idea as to the format for discussion? Is it informal or formal? How is it made up? Is there an agenda?

Mrs. Hart: There is not particularly an agenda. We are just invited to come and discuss certain topics such as the agreement between the staff. The director of education usually makes the pronouncements and, as was done with the impact statement, "You are here to hear this and that is your sole role here tonight." It has been very cold.

We did invite them back to go over our reaction to their brief and gave them strawberries and ice cream; we tried to soften them up a bit.

Mr. Offer: Strawberries and ice cream? That is serious.

Interjection: You should have brought the apples.

Mrs. Hart: We should have brought the apples.

Mr. Chairman: I did notice the absence of good old Prince Edward county apples along with your presentation.

Mr. Offer: How many discussions have you had?

Mrs. Hart: We had a preliminary discussion with the chairman, vice-chairman, their director and the superintendent of business in December. We met with them in January. We met with them again in June and September.

Mr. Offer: Is there anything scheduled for the future? What happens now?

Mrs. Hart: Actually, we may have to go back to them on the question of including something on the elementary basis because the board did turn down signing the agreement.

Mr. Offer: With respect to that elementary school question, it has been raised before in the committee that subsection 136(1) talks about designation and it does not necessarily include only secondary. It may need some clarification or amplification on that point.

With respect to your brief, you do bring to light section 136o. The question I have for you is on accommodation. In the event that there is universal accessibility to either system with the proviso that students who voluntarily, without any necessity, attend the separate system would still have to go into the religious class, what is your opinion? This is on universal accessibility.

Mr. Kinsella: One of the things we talked about was the catholicity. Either you are going to have a separate school system or you are not. If you are going to allow public school children to go to that with the exclusion, you have to rethink what you are doing to the Catholic system. That is a real challenge you have as legislators. This is why we are commenting that what you are shaping here are not school systems; you are shaping society.

If you believe in the Catholic system, maintain the Catholic system. If you believe in the public school, maintain it. What you are doing is—I hate to use the word—bastardizing both systems to ensure we have true equalization of access for all. Why?

Mrs. Hart: My response would be that the reason for a student attending a separate school system may have nothing to do with the religious aspect of the school. If, for instance, that secondary school offered German and I felt as a student my career plans might well require it, I would go to that school if it were not offered

anywhere else. But having done so, I should not also be forced into taking religious education classes because the religious aspect of the curriculum was not my reason for attending that school to begin with. Even if students attended voluntarily, they should not have to take part in the religious program.

Mr. Offer: The reason I asked is that the universal access question has been brought forward before to the committee. I have been trying to get some sense from the different boards whether, to maintain the catholicity of the system, they felt those who voluntarily come to the separate system would still have to attend religious class.

I asked different separate boards whether that might affect the catholicity of their system. The answers are not 100 per cent one way or the other, but many boards do not feel that catholicity would be endangered. I do not know if that is because they think there might not be very many students opting into the system. I like to get a sense from the public board as to its views and I thank you for those suggestions.

Mr. Kinsella: We surveyed all our parents to try to determine what percentage of our population was Catholic schooled. You asked about Quinte. We have a unique situation in our county in that Ameliasburg township is so close to Belleville that we purchase secondary school education for 300 students and they go to the Hastings board.

In that school system, out of that population we have an elementary public school of about 400. Our surveys indicated that about 32 children would transfer and go to the separate school system. Basically, that is going to be more of a problem for Hastings than it is for us because we are purchasing right now.

We have one high school. When we look at our population, we educate 1,019 students and we purchase education for 308. We purchase a high percentage of education. That area closest to Belleville is where the anomalies occur. In the rest of the county we do not have that type of anomaly.

We have also asked about the whole matter of offering religious credits. Why is it the exclusive domain of the separate school system? We have parents in our jurisdiction who believe very strongly in a sound religious background and upbringing; yet we cannot offer that option to them.

Mr. G. I. Miller: The presentation is critical of the effect upon the public school system, from the point of view of the bill, but the bill clearly

states that we want a strong public system. We already have a system that provides education to grade 10 in the separate system. It has not been divisive.

My area is basically rural, exactly the same as yours, and I cannot see that it has created any great difficulty in the community. Can we not share such facilities as playgrounds and show some signs of co-operation rather than division? Is that not possible? There does not seem to be too much communication between your boards, but that is where it really has to start.

Mrs. Campbell: In theory, what you are suggesting should be possible, but in our instance we have found it very difficult even to reach the point where we are now, which is far behind where we ought to be in our discussions.

3:30 p.m.

It is interesting to us as a smaller board to read in local newspapers serving both areas that the Prince Edward-Hastings combined separate board, which is our coterminous board, was already at that point in January having meetings with the Hastings board and coming to agreements on certain things. At that point, we had had no contact at all from them, and they were the people who had initiated the contact with the other public board.

I guess we did not get off to a very good start. When that is the case, as in any human situation, it is very difficult to improve things from there. I am sure, in theory, we ought to be able to do that, but so far it has been a difficult task.

Mr. G.I. Miller: But they have extended the education to grade 11? Has it created any great problems as far as the board is concerned?

Mr. Kinsella: Not to us at this point, but I think that is because there is so much confusion about this. When it is legislated, then I will come back here. I have dealt with five school closings in which we have involved the community. All during the hearings we did not hear anything. We had very little participation. The day the committee recommends a school closing, that is the day you are going to hear from the parents. That is the day you will get the delegations.

My contention is that people are holding back. When the bill has gone through and the local schools start being affected and there actually are some closings because of this bill, that is the day you are going to hear from the people of Ontario. It is going to be after the fact, much to our dismay. Then it will be a major issue.

Mr. G.I. Miller: Should the bill be more explicit? Are there any areas that could provide direction so that does not occur?

Mr. Kinsella: I think the biggest problem area you are going to have is in the transfer of property.

Mr. G.I. Miller: When it comes to property, is it not all taxpayers' property, does it not come from public funds and should that not be easily dealt with?

Mr. Kinsella: But is that really the perception of the people?

Mr. G.I. Miller: It is taxpayers' money.

Mr. Kinsella: Part of Ameliasburg, which is in our county, paid for a secondary school in Belleville. Go and tell those people they do not own part of it. Under the old system, they did purchase it. They still feel that building is partly theirs; they paid for it with local taxpayers' money as well as provincial money.

Mr. Chairman: Thank you, Mr. Miller. Mr. Kinsella, you say it has not become much of an issue. Those of us who have been sitting on this for several months—and yours is number 813 of the representations before us—do think this is an issue. It is definitely in people's minds and is being discussed.

I also get the sense that problems have been created where they need not exist. You seem about to be hit by an infinitesimal factor in this whole process compared with other areas. It seems to me bewildering that, with a five per cent Catholic population in general, when you are already buying services from another board with 300 places, we are getting such a negative view from your local perspective.

Would you like to make a final comment on that? I do find the tone of your brief very strongly in opposition to this.

Mrs. Hart: We are speaking for other people besides those in Prince Edward when we speak against Bill 30. The separate school board indicated to us that it probably would be purchasing education from us. They were showing us their policy on allowing students to attend and hiring teachers and maintaining how important their religious programs were to them. Yet they were quite happy to let the 50 or so students stay in Prince Edward with no worry about their religious future. To me, their argument that they really require funding is rather negative.

Mr. Chairman: Would you rather they built a school?

Mrs. Hart: No. I would rather they just came to ours and forgot about funding from grade 11 on.

Mr. Chairman: All I am saying is that it is very hard to be absolutist on this when there are

things such as distance and numbers as low as the ones you are talking about. I found the argument you made very strange logic, that because there is a large distance between Picton and Belleville, few people would probably want to come all that way to school to maintain the catholicity; that this somehow takes away from the desire of a large number of people in the Catholic community to have their own separate school system. It is a very strange argument. This seems to me to speak to the realities of this province.

In northern Ontario we are seeing whole towns and large areas where they agree there is no point in having a separate school system because it would just destroy the public system in that area. That is practical reality that people respond to. It seems to me there is a parallel there for Picton as well.

Mr. Kinsella: I find that distance is a relative thing. I came from northwestern Ontario to Picton. We were transporting students 80 and 90 miles to a secondary school. What we are talking here is about 22 miles. When people start talking about distance, I smile.

Mr. Chairman: Yes, but if you had a school closer, you would have complained about going that distance. I used to go 30 miles to school. I know the same problem.

Mrs. Campbell: Further to that point, we have about 60 kids now in the high school who are Roman Catholic. They attend because their parents have designated their assessment.

If we are looking at Bill 30 as improving the students' lot, it is difficult to see the logic in that, because now those students attend classes from grades 9 to 13 at whatever level they happen to be participating in. There are no tuition fees because the parents have designated their assessments. Those kids are represented on our board by one separate school representative elected by those parents.

With the coming of Bill 30, we feel in all probability those same kids will stay right where they are; the only difference will be that the assessment no longer is coming to us. Instead, we will be receiving a tuition fee from the separate board. Those kids will have been disenfranchised because they will no longer have representation on our board, even though they are still there in exactly the same circumstances.

I fail to see an argument that says that is better for those kids than what they have right now. As Mrs. Hart told you, just leave them there and let them be. Let them get their education without the complexities that this is going to bring to them.

Mr. Chairman: I understand your point of spreading the assessment by panels. I see that as a separate argument. I appreciate very much the time you have taken to come before us and the discussion you have had with the committee.

Mr. Kinsella: There was a comment about why we are coming here because it will have so little impact on us.

Mr. Chairman: No, not why you are coming but why the tone and impact are so small.

Mr. Kinsella: I think it is a reflection that there is really strong opposition to Bill 30 in the county.

Mr. Chairman: With 95 per cent non-Catholics, I think it might be.

Mr. Kinsella: We have had meetings with the municipal people as well, so we are coming here to reflect the thinking of the people in the county.

3:40 p.m.

Mr. Chairman: I appreciate your right to do that, especially as elected representatives and staff of boards.

Mrs. Hart: We are sorry we forgot the apples.

Mr. Chairman: Yes, I regret that too. Thank you very much.

Our next deputation is the Grassroots Committee for a Ballot on Separate School Funding Extension, Mr. Modlich.

GRASSROOTS COMMITTEE FOR A BALLOT ON SEPARATE SCHOOL FUNDING EXTENSION

Mr. Modlich: My name is Hans Modlich. I am a resident of Etobicoke. I am pleased to appear before you on behalf of the Grassroots Committee for a Ballot on Separate School Funding Extension. Our group is an ad hoc group of citizens launched late last month engaged primarily in circulating a petition in our neighbourhood.

Grassroots calls for this issue to be decided by the voters in a direct ballot. Our group is supported entirely within the community and is not otherwise affiliated with any political organization.

Our petition, the text of which you will find in appendix A, is being circulated only by volunteers. It is meeting an extremely favourable response in our community. We find that four out of five people approached will sign the petition on the premise that the school funding issue was side-stepped in an undemocratic manner in the last provincial election and that only a direct ballot will clear the air on this sensitive issue.

The purpose of my presentation is to state that you are proceeding with Bill 30 in an undemocratic and unlawful manner that flies in the face of the fundamental tenet of British parliamentary democracy, namely, no taxation without representation. Also, it violates the spirit, if not the letter, of the British North America Act.

I want to outline the points we will cover in this presentation.

1. We want to revisit what happened in the May elections.

2. We want to review the responsibilities of representative government.

3. We will look at what happened in the closing of Keiller Mackay school.

4. We want to respond to Bill Davis's September 20 brief to you.

5. We want to examine the stance of other political parties.

6. In the light of the recent constitutional accord, we want to present linguistic rights as set out in the Constitution in their proper, accurate, historic framework.

The recent history on this issue is clear. Those among the electorate in the May 2 election who did not agree with the three party leaders were disenfranchised and left without representation. On the eve of the election, remarks made by a prominent member of the religious community to the effect that the government was ruling by decree in a fashion similar to Hitler are widely attributed to having toppled the Tory government, so sweeping was the sentiment of opposition among the voters.

A public opinion survey conducted by the Toronto Star showed that 52 per cent of the voters were opposed to funding extension as early as April. Today, with the new government steam-rolling ahead, given the September 13 order in council, we see this concern heightened and tensions on the rise in our municipality.

With the exception of the riding of Carleton-Grenville, all voters in the province who opposed Bill 30 are being taxed without recourse to representation in the Legislature. In view of this extraordinary circumstance, we urge you most sternly to request cabinet to place the issue before the voters, preferably on the November 12 municipal ballot or, failing that, on a province-wide referendum.

We charge that while all three political parties profess unanimity in the House, there is no such semblance of unanimity among the voters. The sentiment in our community appears to be very strongly opposed to the bill.

Grassroots is appealing to both sides of the issue to sign our petition. How else but by a full public debate and democratic vote can our community arrive at a decision to be mutually respected? Due process was overruled in the May elections and is about to be shortcircuited again in the municipal elections.

Grassroots is also especially heartened by the sizable proportion of our Italian-Canadian neighbours who are signing the petition. While many of them may favour the extension of funding, they share our concern that the democratic process not be violated.

On September 14 the Etobicoke Board of Education made a presentation to you, documenting the effects of declining enrolment on the calibre and diversity of education. It also chronicles in minute detail what a disrupting effect the March 1981 decree from cabinet demanding the closing of one of our high schools had on our community.

Many of the activists in our group were victimized and politicized by the closing of Keiller Mackay. In turn, many of them are Catholic. It is instructive to examine the record of what happened four years ago in my community. All of this is documented in my school board's presentation to you. By the way, the conclusions of that report still have not been circulated to Etobicoke's ratepayers.

In March 1981, because it was election time and the Conservatives were hoping to get out of a minority government position, they presented our school board with an ultimatum delivered by the member for York Mills (Miss Stephenson) to Keith Kiddell to designate a school for closing within a month or else she would. The board caved in to pressure and volunteered to be the fall guy for the cabinet and the province.

Logically, the community was up in arms, claiming correctly the board had lost sight of who were its real constituents. Within one week, \$14,000 was raised to challenge the school closing before a court. The challenge was based on the fact that the board's own commissioned study, the Jack Baker report, was being abandoned three years prematurely to buy votes for Bill Davis.

I have included in appendix B some of the items the board did not have the guts to include in its brief, namely, the full text of the speech given by Bob Alexander of the parents' association taken from the school yearbook.

"I want to stand before you and say that 14 days ago I would have argued with anyone that this is one of the greatest provinces in all of

Canada, but if the Premier of this province can sell 850 children down the river so that he can retain power, I say here tonight that I hope he can go before these children and tell them he has 'kept the promise.'" That was the Tory election theme at the time.

Was the resentment over this school closing directed against the Catholic community? Did it lead to religious bigotry? No; far from it. The slogans were incisive. The students' placards proclaimed: "Keiller Sold to Buy Votes," "Decisions Made Behind Our Backs," and "Why Should We be Pawns in Your Political Games?"

With the benefit of hindsight, today we can ask why the community was never consulted. Why did the province arrogate to itself the right to interfere in our community affairs via sweeping decree out of the blue? Was anything gained by the arbitrary action? Did it not take two years anyway to get the matter settled, and could not the same end have been achieved if the community's own school board had not been given an ultimatum? Indeed, why should public education today be the pawn in your political games?

Why did Etobicoke lose its flagship technical school, reputed to have had the finest program in computer education within Metro Toronto? Could we not have been more sensitive to the aspirations of the Italian community by naming a school after Leonardo da Vinci, one of mankind's most brilliant engineering minds, and offered an Italian heritage program?

Our community is a textbook example of how our elected representatives, with very few exceptions, buckle under the strain of machine and party politics and abandon their responsibility to their constituents. Just as the school board kowtowed to cabinet in 1981, two weeks ago it failed to endorse three separate calls, one of them from the Grassroots Committee for a Ballot on Separate School Funding Extension, to put the funding extension questions before the voters. What a distorting effect party discipline can have on representative democracy. Let me assure them and you that they will have a tough time justifying their inaction in the upcoming election.

I want to respond to an address made by Bill Davis before this committee on September 20 which, thanks to modern media coverage, I was able to witness from my own living room. As an aside, maybe the day is not too far off when we can also witness and participate in debates from the comforts of our own living rooms and, with the aid of computer technology, conduct instant

plebiscites in a truly meaningful and participatory democratic manner.

To get back to the former Premier's submission before this committee, it appears to have left you eating out of his hands. I protest most strongly a slur he cast upon all citizens of the province to the effect that we are all bigots; that the outcome of a free vote on this issue would kindle the flames of bigotry.

Let me make it clear again that our committee is not motivated in the least by any religious or sectarian factors. There is no religious persecution to speak of in this province. The days of Orangemen's parades are gone. Tory agitation of "No popery" were rejected by the voters of this province 100 years ago.

As we plan to demonstrate, religion is not the central point in this debate; it is the unrepresentative way in which we are governed. Never once did it occur to the former Premier to go before the electorate on this vital question of school policy.

3:50 p.m.

I come from a mixed German and Swiss background. It exemplifies both the best and the worst aspects of what can happen to the democratic process. In Switzerland, we have a proud, 700-year-old tradition of representative government in a tiny land of five million, which harbours within it three and a half different cultures. I attribute the survival of democracy in Switzerland to the frequent use of the referendum, not as a substitute to representative government but as a complement. A plebiscite too, just as it did in Quebec in 1980, contributed to the maintenance of a unified country.

Bill Davis indeed could well have taken a leaf from the book of democratic government as practised by the now-departed Premier of Quebec. Davis's arbitrary and opportunistic record on this issue, on the other hand, smacks of an elitism reminiscent of the heyday of the Family Compact of 150 years ago.

Neither should the leaders of the other political parties go unscathed. The New Democratic Party, of which I am a member, refers to a resolution dating back to the 1970 convention. It was the time of the Pitman-Lewis leadership race, and if there was a policy backdrop to the convention at all, it was clearly the debate on economic nationalism personified in the Waffle. The latter chose not to debate the Catholic funding issue, assuming wrongly that Davis would never permit its enactment.

This July, a group calling itself New Democrats to Preserve Public Education submitted to you a brief outlining the century-old tradition

among both Fabians and social democratic parties in favour of universally accessible public education. In a letter to the *Toronto Star* dated August 20, 1985, Gord Doctorow, one of the leaders of the dissident NDP group, who was the party's only candidate to oppose the issue in his election platform, refutes the claim made by MPP Richard Allen of an "overwhelming reaffirmation of the 1970 convention decision in the 1984 convention." This is enclosed as appendix C.

Also included as appendix D is an interesting survey conducted during Doctorow's campaign against Bette Stephenson in one of the province's most affluent ridings. It claims that 85 per cent of respondents to the survey of the NDP vote in the York Mills riding opposed the party leadership's pro-funding stance.

The leaders of all three political parties would do well to reassess the sentiment among party ranks and among the delegates to their next conventions. In the meantime, a free vote among the various party caucuses, or even a free vote in the assembly, would be a good test of their convictions. Best of all, put Bill 30 to the test of the voters, the ratepayers.

Education faces crucial motivational, social and technological problems—challenges formidable enough for the existing public school system to deal with, let alone two or more parallel systems.

The crucible in which young people learn to cope with and respect each other's racial, cultural and religious differences in all countries of the western world is and traditionally has been one universally accessible, nondenominational public school system. One noteworthy exception to this is Ireland.

It is indeed ironic that some church leaders, while espousing the ecumenical movement for one unified Christian church, should in practice press for further separation in our province's school system. May we ask what is so intangible about Catholic educational values that cannot be taught by the completion of grade 10? Is calculus taught differently in Catholic schools? Should not all our youngsters be given the same opportunity at the senior schooling level? Should they not have access to the best specialized technological training to give them an equal opportunity to meet the complex challenges of the work place?

Has the Catholic church ever surveyed the sentiment among its constituency, almost 40 per cent of which currently sends its children to public schools? We can say to the cardinal too,

democracy begins at home; democracy too has a right to life. The days of governing by decree are numbered indeed, whether these decrees be governmental or papal.

Neither should politicians, and especially ministers of education such as ours, cloak themselves in a mantle of constitutionality. Emerging, as we do, from a decade of examination of the national unity question, every responsible politician must know the constitutional issue revolves around the question of francophone and anglophone language rights and not around religious differences. Canada is based on the historic fact of two founding nations and languages and God alone knows how many founding creeds.

Language of education has been a major issue of national debate ever since Quebec was partitioned into Upper Canada and Lower Canada in 1792, ever since the birth of this province. Because of its catholicism or universality, section 93 of the British North America Act used religion as a synonym for language, thereby supposedly guaranteeing the perpetual right to schooling in their own cultures, both to the then French majority and the English minority.

How have these guarantees stood up in the light of 120 years of Confederation? In Manitoba they did not even last 25 years; by 1890, five years after the hanging of Louis Riel, Manitoba abolished French schooling altogether. In the spring of this year, some 95 years later, the federal Supreme Court, the highest court in the land, struck down the Manitoba Act of 1890 as an unconstitutional denial of Franco-Manitoban language rights.

If we examine the similar history of Ontario's separate school system, we find a similar law, referred to as regulation or instruction 17, enacted in June 1912. The regulation and ensuing teachers' pledge, instruction 18, compelled the separate school system to drop the primacy of francophone learning. It threatened teachers with the loss of their jobs and boards with cessation of funding unless they taught in English, rather than in French.

For the influx of immigrants following the First World War, the defining characteristic of the separate school system, the constitutional guarantee to French-language education, had become emaciated to but a pale reflection of its former self. Whereas the intent of the separate school system had been to act as a safeguard for francophone culture, its distortion into a sectarian school system all but spelled the doom for the

survival of French as the second language in English Canada.

This year has also seen Bill 101 being ruled unconstitutional by Quebec's Supreme Court. News of this was greeted with glee by anglophone politicians. If they only applied the same criteria to Ontario's record on regulations 17 and 18, the latter too would fly in the face of constitutionality, possibly more blatantly.

If government responded constructively to the recent constitutional accords, it would recognize the necessity to inject any available educational funds into the re-establishment of publicly funded francophone schools, as accorded recently to the 350-year-old descendant community of Ste. Marie among the Hurons, to the francophone school of Penetanguishene.

If Premier Davis had displayed any statesmanship at all during the final days of his reign, he would have acceded to the unanimous and principled demand of all three federal party leaders to reinstitute the language rights so deviously denied our French co-patriots. Instead, we are left with this amalgam of opportunism and arbitrariness which is Bill 30. It completes the historic perversion of what started out to be the school system of a once predominantly francophone Upper Canada.

I close my submission to you with the appeal that Bill 30 is the fruit of a feeble sectarian and parochial mind. It is the product of a distorted and anachronistic view of Canada's history. Its foolhardy and downright dictatorial implementation deals a body blow to open government and participatory democracy in this province.

At this, the 11th hour, the only proper course for this government, short of withdrawing the bill, is to put it before the electorate for a direct vote, either in the November 12 municipal election or else in a province-wide referendum.

4 p.m.

Mr. D. R. Cooke: How many members are there on the Grassroots Committee for a Ballot on Separate School Funding Extension?

Mr. Modlich: We are an ad hoc committee, and we started to organize ourselves less than a month ago. We do not have a membership structure; we currently have about two dozen active petitioners who are going through our neighbourhoods. The petition is enclosed as an appendix.

The most significant result of our actions to date is the proportion of voters who readily sign our petition, four out of five people approached. I submit to you in all sincerity that while it is not our job to survey public opinion for you, the paid

elected representatives, that is a very noteworthy result.

Mr. D. R. Cooke: You have about two dozen people working on this?

Mr. Modlich: And most of us had not known each other before that time.

Mr. D. R. Cooke: About how many people have you canvassed?

Mr. Modlich: We have not even tallied up the number of signatures we have at this point. We have canvassed extensively in south Rexdale, Thistletown and south of Highway 401—about as much ground as two dozen people can cover in two weeks plus.

Mr. D. R. Cooke: Are you prepared to give us the names of the people who have signed the petition?

Mr. Modlich: We will in due course present that petition to the Lieutenant Governor and in due time present that petition publicly.

Mr. D. R. Cooke: You also indicated that Grenville-Carleton was the only riding that had a clear choice in the May 2 election, and yet Mr. Doctorow stood opposed to separate school funding, did he not?

Mr. Modlich: We are not exactly saying it in those words, are we? We are saying that after the election, the only constituency represented on this issue is Grenville-Carleton. We also happen to be referring to an experience in a riding where an NDP candidate was outspoken on this issue, defying the party line, and ran against the member for York Mills.

Mr. D. R. Cooke: I had a candidate against me who opposed funding. That is what I understand to be the case with the member for Grenville-Carleton (Mr. Sterling). I am not aware that he has asked to have this put on a ballot.

Mr. Modlich: People can have various feelings that they keep between themselves and their bedpost, but let us look at what the candidate said in his printed election platform. I do not think we are substantially at fault with our figures. There may be the odd case where we might be; I am not ruling that out. The distortion of representation is so blatant that I do not think we need to quibble about one or two individuals here or there.

Mr. D. R. Cooke: You are suggesting that the member for Grenville-Carleton secretly wants to have a ballot. Is that what you are suggesting?

Mr. Modlich: No. We have not even had a chance to appeal to him to sign our petition, but anyone is welcome to do so.

Mr. D. R. Cooke: But basically your position is that the members of the Legislature are not responsible enough to make this decision themselves?

Mr. Modlich: We are saying to you that fully half of you have been tossed on your ears into the opposing camp of the House because of what happened in the May 2 election. The frustration of the voters very much contributed to the defeat of the Tory government. You are welcome to go in and have that experience again.

The fact of the matter is it would have been much more constructive if the voters had had an opportunity. We hope indeed they will have that opportunity—

Mr. D. R. Cooke: Where were you before the May 2 election?

Mr. Modlich: —to express in a referendum or in a single-issue vote just how they feel. The previous delegation mentioned that it is taxpayers' money that you are deflecting. Why not ask the taxpayers in a referendum exactly how they wanted to have that money spent? Our central theme is that there is no such unanimity among the taxpayers as there appears to be among the party leaders and their caucuses. That is the central issue of why we are saying the way you are handling it is undemocratic and unrepresentative.

Mr. D. R. Cooke: Do you have any estimate as to the cost of a referendum?

Mr. Modlich: We submit to you it would not cost a bloody penny if you did that in the November 12 municipal election.

Mr. D. R. Cooke: I reiterate my earlier question, where were you before May 2?

Mr. Modlich: Among other things, let me make it clear that I was lucky enough to participate in the May 1980 referendum in Quebec as a neighbour who had people on both sides of the house quite outspoken and on opposing sides on the future of Quebec. It was a very serene experience for me and my wife to go to the neighbouring school and cast our ballots; I think it was a Tuesday morning.

Regardless of how we cast our ballots, the fact was that we knew full well that on Wednesday morning the neighbours on either side of our fence were not going to throw stones at each other. There was an orderly, 11th-hour process democratically resolving the future of this country. I submit to you that was a very commendable action on the part of René Lévesque, and that is something the former

Premier of this province should have taken note of.

Mr. Offer: I would like to continue with respect to this referendum because it is something which has been put to us at other times. As you most likely know, the history of this province is that we have not been governed through a plebiscitory type of democracy. In the history of Ontario, there have been but three plebiscites. They were 1894, 1902 and 1924, all dealing with liquor-related questions.

The point that is important, given that our history is not one of plebiscites, is that it is not mutually exclusive to the democratic process in my sense. As legislators, we stand accountable to our constituents. As legislators, we have been listening to the concerns of individuals like yourselves and the larger, more organized types of groups, giving each equal weight and time to express their concerns with respect to the implementation of this bill.

As a member of this committee since its inception, and I speak for all the persons from all the parties, not only have we heard but we have also listened. The extension of this bill shall be accomplished with an understanding of the different comments of both those who are concerned with the preservation of the Catholic system and those who are concerned that the public system not be deteriorated in any way, shape or form. We listened to those who are concerned with the necessity of the guarantee of employment, who are concerned with certain groups of persons within our educational system who might be more vulnerable. I can assure you that this committee has been listening and is acting upon those representations made.

The only thing I am trying to say is that not to agree with a plebiscitory platform is not to be undemocratic in any way, shape or form. It is, rather, to carry out as best we can as legislators, a particular bill. I do not know if the criticism of it being undemocratic against either of the parties is well-founded.

I do this with the greatest respect. I have been here for many days, weeks and months, listening to these briefs, and I am impressed with the impact that has been made on different members of this committee. I would like your comment.

4:10 p.m.

The Acting Chairman (Mr. Reville): The question, Mr. Modlich, is, would you not agree? Is that correct?

Mr. Offer: Yes.

Mr. Modlich: I referred to the fact that as a computer engineer I can see—the French govern-

ment has taken certain steps in that direction—the day hastening where we can conduct plebiscites almost instantly and electronically. A plebiscite is not an alternative to the representative politics we practise today. It is our intent to demonstrate that we are in the middle of a dilemma on this.

How would you deal with a hypothetic situation in which the majority of the population did not agree with a professed unanimity of three political parties? We submit to you very strongly that the plebiscite is the proper way out of such a dilemma. We are in that dilemma. Okay?

Mr. Offer: Thank you for the response. I am sure we could debate this at length.

The Acting Chairman: May I ask a question from the chair, please? Did you put the question of a referendum to the Etobicoke council?

Mr. Modlich: That is one of the first things we did.

The Acting Chairman: What happened?

Mr. Modlich: I can file the letter we sent them, for the record. I have it here somewhere. They hastily responded—so hastily they forgot to notify me that they were going to respond—three days later. I left three phone numbers with the municipal clerk and somehow he did not manage to inform me that they were dealing with it.

They invoked a section of the Municipal Act in their response, claiming that it was ultra vires for them to conduct a referendum on educational policy, which was the province's prerogative, whereas our letter in the first place said that a vote before Etobicoke council obviously would not decide the matter for the whole province and would simply be a consultative survey of the voters.

Such consultative surveys have been held on matters of such divergent importance as the fluoridation issue, the stance on capital punishment and there was one in Toronto, declaring it a nuclear-free zone. That clearly is in the jurisdiction of the military in the Soviet Union somewhere and has absolutely nothing to do with Toronto city council.

The Acting Chairman: You are aware, though, that city solicitors—the question was on whether people favoured bilateral nuclear disarmament—advised their councils that it was ultra vires the municipality, and that they were at some risk doing that.

Mr. Modlich: But they went ahead anyway. The courts can decide one thing and the people in the referendum quite another. This issue, by the way—and I just glossed over a presentation, again

by the dissident New Democrats, whatever they are called—referring to—

The Acting Chairman: Mud, that is what they are called.

Mr. Modlich: —a decision, a suit by the Roman Catholic School Board for Tiny township versus the King in 1927, which went the full legal route from the Ontario Supreme Court to the Supreme Court of Canada, and finally to a judicial committee of the Privy Council. The judicial committee's decision determined there was no legal obligation under the Constitution to provide public funding for separate secondary schools. Therefore, it must be stressed there is no constitutional, moral or legal obligation.

That was taxpayers' money which was spent in 1927. Your exercise, or the exercise of the Liberal administration, today is presumably a repeat performance of that.

I will comment that I am politically astute enough to regret that both your perpetual standing committee and the mechanisms of the court can be used to deflect the attention of the voters from this issue until some time three years down the road. In the meantime, we will have been presented with a fait accompli because you have enacted this law with your order in council of September 13. The money is flowing.

The Acting Chairman: It should be clear that the committee did not enact the law.

Mr. Modlich: You are an arm of the government and I am addressing you collectively.

The Acting Chairman: We have been sitting on this committee over 54 days now and have absorbed a lot of this deflection that you are talking about.

Mr. Bernier: I have one short question. I note you are very active politically and that you are a member of the New Democratic Party. Have you

held an office in that party or do you just have a membership?

Mr. Modlich: I am not active politically. I state to you unequivocally that for about 15 years I have not been active in anything noteworthy in any parts of Quebec or Ontario. I did take a sabbatical, and lived and worked in Europe for a while on behalf of a Canadian company in high technology.

Sincerely, my concern for this issue stemmed from when I heard the Minister of Education on a radio show about a month ago. I heard him inveighing the extension of funding as being the right thing to do constitutionally. With my exposure to the concerns of Quebec, I thought he was right out to lunch. That is when my mind started ticking about doing something about it.

I do not hold any elected office within any political, governmental or educational association.

Mr. Bernier: Do you have any influence in any political party?

Mr. Modlich: No. You are talking to somebody who has emerged from the grass roots and is cheesed off with what our paid representatives are doing with our taxpayers' dollars. I make a living; I am in computer-related engineering matters.

The Acting Chairman: Thank you for coming before us. It is quite clear you are cheesed off.

Mr. Modlich: I hope you people will take note because we do not intend to lie down on this issue.

The Acting Chairman: I will remind the members of the committee this is our last deputation for this afternoon. Will you please attend at room 230 at 6 p.m. The meeting will now be adjourned until 8 o'clock.

The committee recessed at 4:20 p.m.

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No. S-68

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, October 16, 1985
Evening Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 16, 1985

The committee resumed at 8:04 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to Amend the Education Act.

The Vice-Chairman: The first group before us is the Ontario Secondary School Teachers' Federation, Kirkland Lake Division, District 32, with Mr. McLean.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, KIRKLAND LAKE DIVISION, DISTRICT 32

Mr. McLean: My name is Roderick McLean. I am from Kirkland Lake and I represent the Kirkland Lake Division, District 32, Ontario Secondary School Teachers' Federation.

Thank you for accepting our brief, one from a small community serving a large geographical area in northern Ontario. Our problems in providing education to children in Kirkland Lake have been increased by the proposal of Bill 30, July 4, 1985. Ironically, it was Independence Day in another nation.

We agree fully with the Ontario Secondary School Teachers' Federation's submission to the social development committee with respect to Bill 30, presented July 24, 1985. While in agreement with that submission, we believe our community is somewhat different from others in the province, and is certainly different from the large city from which Bill 30 emanated. We will attempt to clarify what may occur should Bill 30 become law and thus operational in Kirkland Lake.

The map in the brief represents 720 square miles; it is small but it attempts to do that.

The Kirkland Lake Board of Education has jurisdiction over an educational system that encompasses the town of Kirkland Lake, with a population of about 12,000, the communities of Matachewan to the west, Virginiatown to the east, Bourkes to the north and a division line with the Timiskaming board to the south. It is an area of some 720 square miles.

Kirkland Lake has several mines and good prospects, a community college, a community complex, a hospital, high unemployment and a

great deal of welfare. It supplies services such as maintenance facilities, shopping and recreation for the area.

There are seven elementary schools with a little more than 1,000 children. There is a French-language secondary school with 172 students and 16 teachers and a collegiate and vocational institute with 1,001 students and 66 teachers. These two secondary schools are housed in an ageing building that has been added to over the years. Enrolment was as high as 1,900.

Kirkland Lake Collegiate and Vocational Institute has provided a complete and comprehensive program in academic, technical and business subjects, allowing our students to enter the work force or to continue on to post-secondary education. Most of our students do not stay in Kirkland Lake and area and must seek their futures in other parts of the world.

KLCVI has made possible the continued presence of Ecole Secondaire Jean Vanier, the French-language secondary school. This small school provides the cultural milieu for French-speaking students to take most required subjects and some specialized areas en français, while allowing them to complete their programs by crossover to KLCVI in such areas as technical studies where duplication of facilities would be very expensive. Benefit has accrued to KLCVI students too; students may cross over to ESJV. Computer equipment not funded in terms of our large school has been made available to the French school as a small school and then shared.

However, because of declining enrolment, certain programs in KLCVI, for instance, theatre arts, some technical studies and language courses at senior levels, have been dropped. It would not be feasible to provide these programs with the expense.

The comprehensiveness of secondary education in Kirkland Lake will continue to decrease with declining enrolment, while the new and continuing demands of the Ontario Schools, Intermediate and Secondary Divisions guidelines, and special education, Bill 82, will require our board to provide an educational system that will be compromised by the money and resources it can raise. At some point, secondary schooling will be reduced to fundamentals and will not

provide a varied education for the majority of our students who do not attend post-secondary education.

The problem of the quality of education for all students in Kirkland Lake must be studied. We know some of the effects of division already. There has been, as mentioned, the loss of courses and programs. The athletic program in a small school cannot be as extensive or successful. We believe the pupil-teacher ratio will be adversely affected if a complete program is to be offered.

In fact, we see the likelihood of multigrade, multilevel classes. As teachers, it is possible to teach large classes, to accommodate different levels of ability and even group different grade levels together, but such situations are regressive. Teachers may be able to do all those things, but they will suffer the tensions of it, and students will not learn particularly well.

With declining enrolment there has been a loss of teaching positions that, because of program needs, legislation and intense labour negotiations, has not been too painful for our teachers. For the most part, retirement has taken care of the loss of teaching positions.

The board of education has predicted further enrolment declines over the next years and the concomitant loss of course offerings. We believe these decreases will lead to a loss of teaching positions. The figures are supplied by the Kirkland Lake Board of Education.

The teaching staff at KLCVI is experienced, well qualified and older than average. The majority of our staff, who number 62, have taught more than 14 years, with the average being 17.6 years. We believe that with increasing declining enrolment and reduction of course offerings, teachers of many years' experience will begin to lose their positions with the Kirkland Lake Board of Education. That younger teachers will lose their positions is a foregone conclusion.

8:10 p.m.

However, the board and administration may tend to cite program needs and keep younger, less experienced but qualified individuals to fill those needs. This situation will certainly lead to strained labour relations, which we already have. It will also lead to animosity among staff members. It may be a tactic of management in labour relations to divide and conquer, but the object in our present endeavour is a sound education system, not confrontation between the parties attempting to maintain the system.

We have taken some time to suggest what we perceive as the present situation and future

possibilities in the Kirkland Lake Board of Education. None of this considered the possibility of a parallel school proposed and envisaged by the former Premier, Mr. Davis, and Bill 30. A new high school and the transfer of the French secondary school to the separate system or the initiation of a new, religious French secondary school raise the spectre of many new problems.

As directed, the Kirkland Lake Board of Education and the Kirkland Lake District Roman Catholic Separate School Board began negotiations to implement Mr. Davis's direction. A Roman Catholic principal was seconded and hired. Public meetings were held. Courses were assumed from KLCVI and made Roman Catholic.

Registration for grade 9 for September 1985 proceeded with some rancour, as the boards questioned who might enter which school. There were discussions about the use of facilities. The Roman Catholic board presented its plan to the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario, without agreement of the public board, in January 1985.

The separate school board's jurisdiction includes a school in Englehart, Ontario, 25 miles south and a part of the Timiskaming Board of Education. The board proposed paying tuition for students under its jurisdiction to attend Englehart High School and provide a teacher for religious education and "that the students taking the subject will be considered as part-time students for both boards."

In Kirkland Lake, the Roman Catholic board proposed the use of certain rooms and areas for a new separate high school within KLCVI. The new school would share facilities with KLCVI. The projected 48 students would begin their new schooling in the public high school building. Religious education would not be compulsory in grades 9 or 10, because the Ontario Schools, Intermediate and Senior Divisions curriculum guidelines require a core program be completed in a limited period.

Two students would cross over, entering the public school board's special education program. Since that time, three more have become part of the program. The new school would offer core subjects at general and advanced levels. Students selecting technical and business courses would take them at KLCVI.

The French secondary school would transfer en bloc to the Roman Catholic board, with agreement between the two boards.

The implementation commission decided to delay this plan until September 1986, suggesting that the lack of co-operation between the two boards prevented its success. Thus, we cannot ask for a delay, but the problems still exist with the introduction of Bill 30.

We quote here from the implementation commission's reply to the Roman Catholic board's proposal: "It appears that, in the long run, a small Roman Catholic separate secondary school of about 250 pupils may develop. As the Allan commission report made clear, such a school cannot provide a comprehensive secondary school experience. The commission is concerned that a viable school program cannot be maintained in isolation from the public secondary school. Moreover, the loss of enrolment to the public secondary school will impair the capacity of that school to offer the range of courses and levels of difficulty in instruction.

"The secondary school enrolment in the community, French and English, public and separate, will be in the area of 1,000 to 1,100 pupils. Such a situation begs the closest co-operation between the two boards and both boards have to accept responsibility to ensure that the young people in Kirkland Lake have the best educational opportunities possible. What consideration has your board given to joint programming and broader co-operation with the Kirkland Lake Board of Education?"

We have given a general overview of the situation in Kirkland Lake. The details are a matter of public record. We believe, first, that the proposal should disappear; that may be decided by the courts. However, the new government is determined to carry on the proposal with Bill 30 in spite of its growing cost and notwithstanding evidence suggesting the former government lost its majority because of the proposal.

How then can Bill 30 best be administered in any form in small communities such as Kirkland Lake, where division between public and separate school supporters, indeed among Roman Catholics, has arisen?

We believe there should be one secondary school providing a valuable, comprehensive education for all, administered in the best interests of the children of Kirkland Lake. If religious instruction is a factor in the maintenance of faith, it can be made a requirement for adherents to the faith in the one school, as has been proposed for Englehart High School, a small school.

Further, we believe a unified secondary school board would best serve the interests of non-Catholic, Roman Catholic, French and English students in Kirkland Lake, avoiding the expensive duplications that will occur. We respectfully submit our brief in defence and support of public education in Ontario.

The Vice-Chairman: Are there any questions from members of the committee? I might ask one to get started. I wonder whether you could help me by explaining how a unified school board would operate in your area.

Mr. McLean: In the proposal from the separate board, there was a suggestion of three schools within one building. Frankly, it has worked with the two schools. I feel that if you have one principal in a school, the administration, as far as expense and activities are concerned, will be far better alleviated than with three schools. I do not know how divisions are made.

Essentially we are talking about one building. We are not talking about three separate buildings in this small town. What I would envisage by that unified school board is one board with a senior administration, with co-ordinators for the public high school, the separate school if that is the case and for the French school if that is the case.

The Vice-Chairman: Basically, you would be talking about three schools under one roof.

Mr. McLean: That is the proposal.

Mr. Vice-Chairman: Could that not happen even under Bill 30? I am not talking about the unified school board, but about joint management of one school under a proposal that I think we have talked about with the Kirkland Lake people who have come before the committee in the past. Why could that not happen under Bill 30?

Mr. McLean: If there are three principals, I believe it becomes very difficult. Perhaps it would work if there were one principal and, as I would suggest, vice-principals dealing with each school. Do you separate the schools as entities, with different names as it is here? The French school now is in a precarious position. We speak of multi-level classes in our brief. It is starting to happen in our own school with 1,000 students. In that school, one individual has four levels in one class, besides preparing six different lessons each day. This fracturing will make this even worse if there are three schools.

8:20 p.m.

Mr. Vice-Chairman: I think the way some of us see this bill developing in smaller communi-

ties is that there would be two schools under one roof, but there would be a sharing of programming and so forth so that a broader range of programs could be offered.

Where there are numbers so that there can be one particular class or one particular subject for Roman Catholic students and one for the public school students, they can be separated. With shop and other programs where they have to come together, they would come together. I do not see why that could not happen under Bill 30. I do not know why we would need to have a unified school board structure built into Bill 30 to facilitate that.

Mr. McLean: Is the expense of one school board going to be less than two school boards? Frankly, I believe so. The other aspect of this is that we are not talking about two schools; we are talking about three. Is there a possibility of a fourth? There are English-speaking students who might prefer their instruction in French. Are they to go into the separate school's French entity? I do not know. The proposal is to transfer that school en bloc. Of course, that can be modified. That occurred in January 1985.

Mr. Offer: Have you any idea of the percentage of the Catholic population in Kirkland Lake?

Mr. McLean: It is over 50 per cent, but living in Kirkland Lake, having the experience of this and having spoken to Roman Catholics, there is a great division. In terms of administration of the school system, they cannot understand the necessity for two high schools. In terms of their religion, which I did not go into, they might accept it, but when the situation is that everybody says—I am not prone to meeting everybody; everybody in Kirkland Lake is not saying, "We need a separate high school." This is among Roman Catholics, too.

Mr. Offer: At this time, there is no accepted implementation plan for this September we have just passed.

Mr. McLean: No.

Mr. Offer: From what I gather, it has been deferred until September 1986.

Mr. McLean: There has been a proposal recently to begin negotiations again.

Mr. Offer: What type of proposal?

Mr. McLean: Between the two boards.

Mr. Offer: To sit down?

Mr. McLean: To sit down and begin talking about this again.

Mr. Offer: When was the proposal made?

Mr. McLean: It was made 10 days ago.

Mr. Offer: By whom?

Mr. McLean: It is recorded in our newspaper. Consequently, I think the proposal was made by the Kirkland Lake District Roman Catholic Separate School Board to our board.

Mr. Offer: Do you have any knowledge of a date for meeting?

Mr. McLean: No, I do not.

Mr. Offer: Are you aware of any meetings between the coterminous boards last year?

Mr. McLean: Yes. They occurred in the fall of 1984.

Mr. Offer: The fall of 1984?

Mr. McLean: Yes, as directed, I believe.

Mr. Offer: Are you aware of any agreements or attempts at agreement made by the boards?

Mr. McLean: By our board?

Mr. Offer: The coterminous boards. I know that yours is only one, so you might not have all the information.

Mr. McLean: I am aware of the attempted agreements; they did not come to pass. I believe our public school board finally broke off because the plan was not acceptable. They believed it was costing too much in terms of their facilities.

Mr. Offer: That agreement, or that attempted co-operation by the board, was done without the benefit of the act in its present form.

Mr. McLean: Yes. We did not know what the act was. Operating in a vacuum certainly did not help.

Mr. Offer: There is no longer a vacuum because there have been some hearings and there has been this bill. These hearings have also gone on. Can you give this committee some sense of the type of co-operation that might emanate from the boards at this time?

Mr. McLean: I spoke to our director the other day, because I was coming here. I asked him about this and he said: "I am starting from square one. We will look at their proposal and we will again decide." No meetings have been held, other than that, so I have no idea where co-operation will lie.

Mr. Offer: From what you are saying, it seems that everyone is wiping the slate clean and starting afresh.

Mr. McLean: Yes.

Mr. Offer: Is that the attitude of both the boards, as best you can surmise?

Mr. McLean: The separate school board has proposed a plan and I cannot see it being revised much from last year's plan.

Mr. Offer: But you are unaware of the plan.

Mr. McLean: No, I have the plan, which is very difficult to wade through. It seems to me the forms for that plan are very comprehensive and they get into areas of which I have no understanding.

Mr. Offer: Your brief brought out very clearly that the initial attempt at obtaining funding was at least deferred because of a lack of productive co-operation. From what you are saying it seems both boards, in the light of the bill and these hearings, are now wiping the slate clean and there may be some productive co-operation.

Mr. McLean: As an added note, the director of the separate school board is retiring in January. I do not know whether that will have any effect, but the new director may come in with the slate clean and have his own ideas.

Mr. Guindon: You mentioned that about 50 per cent of the population in Kirkland Lake is Roman Catholic.

Mr. McLean: I think so.

Mr. Guindon: What, roughly, would be the population of francophones?

Mr. McLean: Roughly 23 per cent. I am on the library board, and we try to maintain our library in terms of that percentage.

Mr. Guindon: I am going to ask a question I have not asked for a long time. If you were a designated teacher and you were asked to go to the separate school panel, would you accept?

Mr. McLean: I do not believe so. I am a Protestant and I have a strong belief in Protestantism.

Mr. Guindon: Apparently, you would still be allowed to practise your faith.

Mr. McLean: Yes, apparently, at this point.

Mr. Guindon: We have a lot of briefs coming from the Ontario Secondary School Teachers' Federation speaking about the younger and the female elements in the teaching profession. Every one of the briefs seems to lean the same way to say there is a problem about them. How do you expect this committee or the government to try to correct that problem?

Mr. McLean: That is a vast situation. Essentially, selfishly, I am somewhat protected. I have read the federation's brief to the Treasurer on the development of early-retirement incentives. Being heavily involved with the federation

and having looked at our superannuation, which was supposed to be healthy, I believe there are ways and means of alleviating the problems for both the older and younger teachers.

8:30 p.m.

As we get old, we are not able to jump up to put in baskets or catch footballs or play volleyball or any other sports. Children need that help, but I have done my coaching. I am broken down now. I am not able to continue. Young teachers are needed and principals proceed with managing their schools.

I think they will manage them in this fashion. but it will create problems. There are answers. One is early retirement. Another is better funding for schools back to those levels that existed. That is not going to occur, but it is possible.

The Vice-Chairman: Thank you. Any other questions from the committee? If not, I want to thank you for coming all the way from Kirkland Lake to speak with us this evening. I appreciate it.

At the end of the first inning it is 0-0. There are two more innings to go.

Mr. Thompson, welcome to the committee. You have exhibits 74 and 74A.

K. S. THOMPSON

Mr. Thompson: Thank you. Good evening. I have a few remarks before I present my brief. First of all, this is a personal presentation. I do not represent anybody but myself and I am here as a private citizen hoping to be of some assistance to your committee. I hope you see me on a friendly basis. I have no axe to grind with you as a committee. I may express it some other ways.

I ask you to excuse the handwriting and some grammar. I was notified fairly late regarding this meeting. I applied early and received a "Dear John" letter and then I was asked to come to the committee. I am very pleased to be here.

This presentation is submitted in support of my letter of July 25, 1985. In that letter are three recommendations: tax-base sharing at the local level; ministry-approved courses as recommended qualifications for teaching in Roman Catholic secondary schools, and formation of a joint advisory committee of headmasters under the deputy minister. In my letter I did not submit the extra submission I will present in the brief this evening.

By way of introduction, I am a retired secondary school master with a broad spectrum of experience in all parts of the province. I was rather interested in the Kirkland Lake presenta-

tion because I was an applicant for the principal of that school in 1965 and I did not get the job. I had a very good interview with the board.

I do not agree with the intent of Bill 30 for educational reasons, an opinion expressed by a number of delegates before me and I believe by the Ontario Secondary School Teachers' Federation, a representative of which is present this evening.

Confronted with increased credit requirements and compulsory credits, students entering secondary schools face an increasingly limited opportunity to attend schools of their choice. I want to express the concerns I have regarding the restrictions that are being imposed on students in attaining their secondary school diploma. It is on their behalf, in part, that I am making this presentation this evening. We are talking of a future generation of young Ontarians.

Recognizing two realities, namely, the desires of the Roman Catholic community, which as a principal I saw quite often, and the fact of a stated political commitment, I submit four recommendations as a foundation upon which to build a second secondary system with sound financial support and general public acceptance. Present financing proposals, based on substantial provincial grants which are traditionally "a nickel short and a month late"—and I believe you had that type of presentation from Bill Newnham—will create a second-class system and a disservice to the students it is intended to serve. Eventually both systems will suffer.

1. The Roman Catholic board would share the local tax base with the public board for secondary purposes. Under that students would attend secondary schools of their choice by right. True costs of funding a second system would be reflected in the increased local levy, as well as in increased provincial grants. This could be called unified funding; I thought I should have a term for it, as everybody has one nowadays. That would be an act of political courage, or possibly suicide, on your part.

2. I suggest required qualifications for teaching in a Roman Catholic separate secondary school, taught in ministry-approved courses in Roman Catholic religion. They would be offered, as are many ministry courses, in part I, part II and part III.

Part I, for teachers, would be the basic information for and about teaching in separate schools. This would be apropos in such a situation as you were discussing in the last case of Kirkland Lake teachers who might be surplus to their board and transferring to the separate board.

Part II would be for teachers of religion and/or administrators and part III would be for directors of religious studies. Clergy would qualify upon completion of part I. This is a position that would occur in larger secondary schools, possibly in excess of 1,000 pupils. It could be part-time or full-time depending on the size of the school and the other duties the person might have. The person might teach religion and be the director of religious studies.

3. I added this recommendation after some thought. It might bring the committee to a more practical point of view about what I called unified hiring, and we could add surplus and redundancy of secondary teachers with local boards of education.

Under this proposal, the hiring of teachers, surplus teachers and redundancy would all be handled with co-operation between boards. Teachers applying for positions would complete common application forms indicating their interest in employment with either or both boards. Applications would be kept on file in one central location. Boards would adopt common hiring procedures. They would all hire together on the same day at the same place and give the same notification to candidates. Teachers would often be coming to apply for jobs with both boards or several positions with both boards, if they exist.

Boards would adopt common surplus procedures criteria, teacher notification and so on. I will explain what my definition is. Everybody will probably have different definitions, but teachers who are surplus are teachers who are no longer needed in the school where they currently teach. Boards would also adopt common and reciprocal surplus placement procedures. I use the word "reciprocal" to indicate that teachers could go both ways. A teacher surplus in the secondary school in the Roman Catholic system would have a reciprocal opportunity to accept a position in the public board. This circumstance in larger systems would occur over the long term.

8:40 p.m.

Teachers and boards would be protected by a two-year return option, if suitable vacancies occurred. The implication there is that many of the teachers will be excellent teachers. The board would like them back and the teachers would like to come back. That option should be built into these transfer arrangements. Boards would formulate common and mutual redundancy policies, and I will stop to explain my meaning of "redundancy." It means that that teacher can no longer be placed with either board, because they do not have a job for him. In that case both boards

would agree and formally sign a redundancy notification that they have no job for that teacher.

The ministry, the Ontario Secondary School Teachers' Federation and the Ontario English Catholic Teachers' Association would come to an agreement on a provincial basis regarding protection for teachers declared redundant, so teachers would be protected on a provincial basis rather than have to work on a local basis if they are declared redundant.

Teachers accepting transfers would retain full seniority and salary rights with their new boards.

Boards would adopt common policies regarding access to secondary positions from their elementary panels and from teachers on secondary staff. I will explain that. I say, for instance, a surplus placement before elementary transfer. That is, if a job becomes vacant, the surplus teachers would have first crack at the job, instead of allowing an elementary teacher to apply for the job and close up the opening.

The same thing would apply regarding a secondary transfer. It would be acceptable if the position appears in the same form. That is, if a job is vacant in English and an English teacher from another school would like that position, the principal would have the option of accepting that teacher, provided that an English position appears in another school and that if there are surplus English teachers, they have a crack at the other job.

These surplus arrangements are very complex, even within a board of education. I was with the Waterloo County Board of Education, and we had a list of rules as long as your arm. We had to keep changing them all the time just to be fair to teachers and everyone and to keep an eye on ourselves, because we trusted ourselves less than anyone else. For that reason, I added number 11: Ministry arbitration would be a last resort if boards could not come to a satisfactory agreement.

I do not have the luxury of looking at your bill, but from what I read, the bill is really a game with no rules. I am suggesting that there should be rules, they should be written in and they should be specific so there are as few games as possible, teachers really get a legitimate chance for transfer and redundancy is kept to a minimum. On my next page I say all teachers would be hired in accordance with the Human Rights Code.

Then we go on to recommendation 4. This recommendation can only be passed on; your committee cannot act on it. But as a former headmaster, I thought it might be passed on, since this recommendation comes from my long

association with Headmasters, an organization within the OSSTF.

If they are going into a joint committee of headmasters, it would require special initiatives within OECTA, OSSTF, the Ontario Secondary School Headmasters' Council and the deputy minister's office. It would channel grassroots opinion to the minister.

At this point I would like to stop and you can ask some questions. Then I would like to present my summary sheet, if we have sufficient time.

Has the score been announced at the ball game yet?

The Vice-Chairman: No, but I know that Stieb struck out Brett.

Mr. Thompson: Good, I am glad of that.

Mr. Offer: I am sorry you have not read your summary sheet, because I have a question on that.

The Vice-Chairman: Go ahead, if you have a question on the summary.

Mr. Offer: You indicate previous groups on the summary sheet.

Mr. Thompson: I classified them. I wanted to take this not too seriously by saying that one group was opposed to funding a second secondary system. The second group seemed to be opposed to public access to Roman Catholic secondary schools and opposed to open hiring practices.

This presentation probably has the dubious distinction of being opposed by both of the above groups and would require radical changes in the act, supported by extensive changes in ministry regulations. I recognize that. Really you are going to have to change the whole direction of the bill to implement many of these suggestions.

Mr. Offer: Thank you for expanding on that. From your recommendation, what happens to our separate school system in Ontario?

Mr. Thompson: Now?

Mr. Offer: Where is it?

Mr. Thompson: What do you mean, "Where is it?"

Mr. Offer: What about catholicity? What about the separate school system itself?

Mr. Thompson: Where is it? It has its own religious education, its own board, religious activities to whatever extent it wants. Everybody in that school system has been educated in accordance with the requirements by diploma for the ministry, three courses. Everybody knows what is expected in Roman Catholic education.

The thing that concerns me is that many people going in here do not know what the system expects. Not only that, I have listened to enough of your committee to know that the Roman Catholic community itself cannot define what it wants, what its expectations of teachers are. What are its expectations? I would go into that system with trepidation, even if I were Roman Catholic. I would wonder, really, what am I supposed to do. As an administrator, where do I stand and everything?

If this were accepted at the local level and if the Roman Catholics saw this operating, they would be excited about it, because there is tremendous opportunity for understanding between groups. There could be some non-Catholics in the school, I would estimate about five per cent. There would not be as many non-Catholic teachers teaching as one would expect, but at least they would know what they were doing before they went in. They would have to take the course.

I am proposing a publicly funded Roman Catholic secondary system. Many people here are talking about a publicly funded private Roman Catholic system, exclusively Roman Catholic—Roman Catholic teachers, Roman Catholic students, nobody else in the door. Roman Catholic schools have functioned extremely well, particularly private schools, with quite a few non-Catholic teachers and non-Catholic students, and I do not see why they cannot do it this way, particularly if they have the funding that I am suggesting. I think they are going to go poor, and money may be a more important priority than they realize. They do not have a good tax base locally.

My experience with excluding students from doing what they want was a very negative thing. You get five per cent who want something. They do not make it easy, but let them do it and it takes the pressure off things. The public relations is tremendous. Maybe I did not answer your question.

Mr. Offer: No. I think you might have understated the excitement that might have been generated.

Mr. Thompson: Has anybody proposed it?

Mr. Offer: If this were proposed, of course, there would certainly be excitement in the Roman Catholic community. Thank you, those are all the questions.

Mr. Thompson: Have you had this proposal before?

Mr. Guindon: No.

Mr. Thompson: You have not?

Mr. Offer: No.

Mr. Thompson: I read in the papers that all your proposals were the same, and I wondered if mine was going to be the same.

I think I am right, though. I would be opposed by everybody, maybe by the committee, too. That is fun; I love that. I am retired and I like to have some fun. I did not come down for an argument. I really want to get you thinking about some new ideas. In the same old direction down that long tunnel down there, you are trying to find a solution. Maybe there is a solution in some other place.

8:50 p.m.

I was a principal in Wawa, and years ago we had a little problem. The students all wanted to take off for holy days of obligation, so I had a little chat with the vice-principal, John Tessier. He works for the ministry up in Hearst now. I said, "John, what are we going to do about this?" He said: "No problem. Students who want holy days of obligation are all going to see me." He called them in. He said, "You are all going to church and to mass on holy days of obligation?" They said, "Oh, yes." John said: "That is fine. I sing in the choir and I will see you all at five o'clock in the afternoon, but you will be at school." Game over. Everybody was happy.

If I had said that, I would have been in trouble. It is co-operation. I am sort of here on behalf of my Roman Catholic friends. I think they deserve a better break than they are getting. That is really why I am here, particularly for the kids of the future. I think they are going to be shortchanged in this whole thing.

Everybody should get a fair deal. It will not be popular at the local level. We will all have to pay \$25 or \$35 more tax, but they will be funded better.

Mr. Allen: It is always good to have individuals come before us who have tried to work out the problems that the committee is dealing with and lay some plans before us that might resolve things.

I am not in my own mind entirely convinced that we have not seen at least something of this proposal before. We have had at least one major provincial politician who fairly early in the post-election period suggested that there was a distinction between a Roman Catholic secondary school system and a secondary school system run by Roman Catholics. I think your proposal comes close to the latter notion, but I am not quite

clear whether that is the case or what that gentleman had in mind.

The problem I have with it is precisely the one you mentioned to us yourself. You do not see it really being very acceptable to any of the parties in the field, and if that is the case, how can we imagine that we will be able to take it anywhere? What is there that would commend this to the public that is opposed to Bill 30? What is there that would commend it to the separate school community, which is in favour of Bill 30?

Mr. Thompson: In my final proposal I asked whether your final recommendations stand the test of time as follows:

1. Will they be fair to all students, teachers and parents under the Human Rights Code? I have been retired now for three years, but this Human Rights Code is bigger than all of us. We looked back in Waterloo county at the hiring procedures we had during the last 10 years, and we just thanked our lucky stars that we had started out ahead of the Human Rights Code, because most of the things we were doing in hiring teachers were under that.

However, you are headed for a bed of thorns if you think you are going to run a public system with public funds, especially establishing a Roman Catholic system. The established one is okay, but once you establish another one, I do not think you can bypass that Human Rights Code.

2. Will both secondary systems be adequately funded?

3. Will both systems be encouraged to work co-operatively together?

4. Will your recommendations receive public support in the long term?

My proposal regarding Roman Catholic schools would probably stand the test of all those. It would be unpopular at the beginning, but I think it would stand the test. People would perceive it to be fair—public money so the five per cent who want to go to the Catholic school would go there by right.

When you sit in the principal's chair and someone walks in and says, "I am a taxpayer," that means he is a taxpayer; that is what he is talking about. That is the real thing. When someone walks in and says, "I want my kid in school," he wants him there. He does not have to beg to get into a Roman Catholic school under this proposal. He says, "I want my kid in there," or he wants him in the secondary school. There will not be that many, but you will make them happy because they have a choice.

That is partly why I say it. It is through experience and intuition that I think this thing

would work. Somebody has to say to your committee: "Look, this is what I believe. I believe this will work."

I see you looking for a solution. Everybody is blind in the whole thing. Nobody sees the solution. I see this as the solution. How you arrive at it is another story. I think it would work in the larger communities, but I have the luxury of sitting back and not having to implement it.

I thank the committee for your time this evening. Does that answer you in some way?

Mr. Allen: It did in part. My other question was whether you were aware that the Ontario Human Rights Code does have an exemption for Catholic schools in their capacity to hire principally Roman Catholic teachers if they wish to do so. That is not considered under the code to be a breach of the normal sense in which the words "hiring discrimination" are used.

Mr. Thompson: I am not exactly sure how that is exercised under the Human Rights Code.

Mr. Allen: Section 23, I believe.

Mr. Thompson: Does that not cover the present Roman Catholic system?

Mr. Allen: Yes.

Mr. Thompson: I meant to say that the present Roman Catholic system is covered, but if you extend this, the extension, in terms of the law, may no longer cover the extended-funding aspect.

Mr. Allen: That will probably depend a good deal on the judgment of the courts on constitutionality.

Mr. Thompson: I commend the committee for your attention, your courtesy and your stamina. I thank you for the opportunity to be here this evening.

The Vice-Chairman: Thank you very much.

The final presentation this evening is from Mr. Amenta, briefs 323 and 323-A.

It is 1-0, Kansas City, at the top of the second. Welcome to the committee.

DR. SALVATORE A. AMENTA

Dr. Amenta: I am here representing no one but myself. I am a teacher with the separate school board. However, I do not represent either the association or the school board.

Considering the time of day and the many submissions that I know you have heard and read and the countless presentations that have been made to you, I thank you for your willingness to listen to me tonight and for the opportunity to make a personal presentation.

I am here for two reasons.

First, I would like to explain in terms I have not myself heard nor read anywhere, and I have followed these hearings pretty faithfully, why I personally am in favour of funding. In this regard I will be expanding on something that was glossed over in my written submission.

Second, I would like to summarize and update the concerns raised in that submission, specifically with regard to some unjust implications of the proposed legislation.

I was flattered beyond imagining when I heard our former premier, Bill Davis, saying something akin to what I had noted in my written submission: namely, that had the spirit as well as the letter of the law had been kept fully alive since 1867, fully funded Catholic schools would be today a plain, ordinary fact of life. If I may be allowed the further arrogance of quoting myself, I went on to say that in that case the body politic would not have been traumatized by the present pursuit of justice.

Since I made that submission last August, I have thought a great deal about the controversy generated by the funding debate and by what I still believe to be the simple pursuit of justice and fair play. After considerable struggle with the various issues, I have found that many of them resolve themselves once a fundamental question is asked: What distinguishes the Catholic from the non-Catholic sector of the public school system? The answer is the crucial role played by a religious-faith commitment—a very simple answer.

9 p.m.

The corollary of this proposition is that such a commitment plays only a peripheral role in the nondenominational public sector, if it plays any role at all.

I maintain that ignoring this simple fact has led to many misunderstandings and a number of false issues. For example, opponents of completion accuse supporters of thinking they hold a monopoly on virtue, a suspicion so easily dismissed by getting to know a Catholic or two. Supporters are also accused of being elitist and seeking special privileges among the other communities of believers, when all we are asking for is what we believe is guaranteed by law.

Opponents accuse us of wanting our cake and eating it too, wanting public funds while pursuing our private, sectarian interests. But when one considers what Catholic schools really do every day, what does one find? Other than the general religious tone of the school, religion classes, uniforms, regular acts of community worship, not to mention the ugly, ubiquitous

portables, Catholic schools are politically, legally and pedagogically indistinguishable from nonsectarian public schools. It is easy to forget that separate school boards are accountable to the same Education Act, the same minister and the same ministry guidelines.

I am not saying the differences noted are minor or unimportant, since some of them account for the distinct and precious catholicity of the separate schools, although I hope the portables do not. On the contrary, I would argue that only when the fundamentally religious-faith orientation is acknowledged as the essential distinction between the two sectors of the public system can the opponents' objections be seen as the red herrings they are, as distractions from the real issue, the challenge posed by a denominational public sector to the nondenominational sector of the same public system.

In public debate, this issue of competitive challenge has been dealt with, for the most part, in a counterproductive manner. While there are many legitimate concerns about the consequences of legislating completion—you have heard many of them, and I will deal with a few later—the one that has been largely misunderstood is the concern about public choice.

In the infamous remarks of a certain high church official in Toronto, we were asked to equate Bill Davis's decision with the totalitarian tactics of a Nazi or a fascist; in other words, of a dictator infringing upon the freedom of the people. However, in my opinion, opponents who consider funding policy fascistic simply fail to see that their single-stream position has much more in common with fascism than the present government policy. Surely an educational system with two publicly supported sectors offers Ontario residents a real choice between two alternatives.

If the separate sector did not exist, parents who could not afford private schools would then have no other choice but to send their children to the nonsectarian public system. Some freedom.

There is another very important reason why Ontario is better off having a choice between two fully funded public sectors, but to appreciate that reason, one has to deal with the issue of discrimination, the very issue upon which the constitutionality of completion is at present being challenged. To begin with, I must agree with those who charge that the present move to full funding is discriminatory. However, I take issue with their claim that such discrimination is illegal and counterproductive in a free society.

As to whether it is illegal, I believe the Supreme Court will decide otherwise because it will recognize the spirit as well as the letter of the law at the time of Confederation. As to whether funding undermines religious equality in a free society, I must argue that the central issue posed by completion is not religious discrimination in favour of Catholicism, but discrimination in favour of religion.

It constitutes a long-overdue recognition of the separate sector of our public school system, of denominational schools that have not only survived but also maintained their integrity and excellent reputations. I suggest such discriminatory recognition is not only legal but also wise and astute. It allows a sectarian branch aspiring to Christian humanism to complement the non-sectarian branch aspiring to secular humanism. I am convinced the resulting complementarity between these two—ideologies you might call them—can only strengthen our moral character.

This discrimination in favour of at least one denominational sector of the public school system, rather than alarm, should give cause for celebration to all other religious faiths. Even if they have no constitutional claim on public funds, they should at least applaud the very existence of a religiously oriented school in an increasingly secular society.

In fact, with a resurgence and renewal of ecumenicism, all Christian and non-Christian faiths can look forward to sharing in the success of the only publicly funded, religiously oriented schools in Ontario.

Having said this, I must add that I do not agree with those who argue that full funding will in effect legitimize state-controlled religion. Public funding carries onerous responsibilities for which school boards can be held accountable on legal, moral and religious grounds. So, while it is true that religious institutions sometimes come perilously close to abusing authority and personal conscience, public funding of their schools gives them no licence to indoctrinate in violation of free conscience.

Thus, while I concede that indoctrination and exploitation are clear and constant dangers in denominational schools, wholesale elimination of religiously oriented education is not the way to protect children from overzealous teachers. That would be a case of throwing out the baby with the bath water.

As a Catholic teacher, I believe religion can play a central and safe role that is liberating rather than oppressing. Mind-closing and conscience-violating practices are inconsistent with Christ's

own exemplary teachings. A Catholic teacher is therefore committed to opening up minds and hearts, teaching how to discriminate between truth and falsehood, showing how to make responsible decisions and accept the consequences of one's own behaviour.

The sweeping generalization that Catholic educators tend toward dogmatism is comparable to the fundamentalist indictment of nondenominational schools as havens for secular priests who reduce knowledge and sentiment to agnostic or atheistic nihilism. While two wrongs do not make a right, at least dogmatic religion is an effective foil for the pseudo religion of a materialistic society.

Personally, as a teacher, I will try to steer clear of both dangers and hope that my students will learn something from the example. Optimistic that what they learn will be worth while, I can hope that the complementarity of the two public school sectors—one secular, the other religious—will enrich the intellectual life of our society as it steers clear of mindlessness in both the secular and religious realms of modern life.

As mentioned in my preliminary remarks, I would like to follow my supportive statement on completion with an updated summary of the issues raised in my written brief, and then with a reconsideration of the changes suggested in the proposed legislation.

In that document, I raised a fundamental concern about the consequences of completion for teachers. The central point made was that if changes are legislated rather than won through collective negotiations, government has an obligation to make sure that all those affected by the legislation are treated fairly and equally.

Many have supported this principle, including members of this committee. However, few, if any, have intended the principle to apply broadly to separate school teachers, supposedly on the assumption that since completion is good for the system in general, it is good in all respects for everyone. I still think this assumption is fallacious, and I am more convinced than ever that something should be done about protecting all those who are affected by completion in both public school streams. Two or three cases will suffice to illustrate my point.

In the Ottawa Roman Catholic Separate School Board, completion has resulted in the unemployment of about a dozen separate school teachers, some of whom would likely have qualified for high school positions when the board's elementary panel experienced a decline in enrolment. Sister Clare, president of the

Ottawa unit of the Ontario English Catholic Teachers' Association, has already come before this committee to argue that Bill 30 should provide protection for public and Catholic teachers left jobless by extended funding.

My second example is that there are teachers in separate school boards who have previously accepted positions at the elementary level on the assumption they would eventually transfer to the secondary panel where enrolments would rise. However, with the recently proposed legislation in place, these teachers must yield to designated teachers who have first priority for new high school postings. While the Catholic elementary teachers appreciate the importance of accommodating teachers who would otherwise become unemployed, their professional hopes and plans are being frustrated by the provisions of Bill 30 in its present form.

9:10 p.m.

My third example is that in the collective agreement of the board for which I teach there is provision that the board shall not pay a newly appointed teacher more than an incumbent staff member with the same qualifications, experience and responsibility. Because of disparities in contractual provisions between the Metropolitan Separate School Board and the Metropolitan Toronto School Board coterminous boards, not only will this clause in our contract be contravened as newly appointed designated teachers are employed, but also large disparities in salaries and benefits will result, some in the order of \$10,000 to \$15,000 per annum.

While red-circling may freeze higher salaries in an effort to mitigate these effects, disparities will in some cases be so great that they would result in the freezing of designated teachers' salaries for as long as six to seven years. Thus, both the separate school and the designated teachers would be adversely affected by the provisions of the present draft legislation.

My last example is that designated teachers carry salaries and benefits with them, including allowances for positions of responsibility, even when they do not assume such positions. Yet the incumbent teacher may be required to perform the duties of headship without recognition or even compensation. Nothing in current draft legislation would prevent this or even give the incumbent teacher access to grievance arbitration.

The above examples show how adversely some separate school teachers may be affected by the consequences of the proposed legislation. In my previous submission, I wrestled with these

problems and tried to come up with ways to make the legislation as equitable as possible. One of my suggestions was to allow grievance arbitration for separate school teachers, as well as for designated teachers, or for those who believe they should have been designated for transfer to the separate schools but were not.

Though my formulation may not be satisfactory from a legal point of view—after all, I am not a lawyer—I still believe this option has merit and should be considered for inclusion in the final drafting of Bill 30, and the wording for that can be found in my brief.

I was and still remain dissatisfied with the other suggestion. I had proposed that the minister issue some formal statement to the effect that coterminous boards exchanging designated teachers make a concerted effort to achieve parity between their respective collective agreements. I do not accept the objection made to me by my colleagues that such a directive is really the imposition on or some kind of interference in province-wide negotiation.

That such a ministerial statement interferes with collective bargaining is much harder to argue against. One may hope the boards will see the injustice of such cases as those I have noted above and will be persuaded to make important concessions at the bargaining table, thereby making ministry statements, or some kind of interference, unnecessary.

On the other hand, what if such concessions are not forthcoming? In that case, separate school teachers who believe they have been adversely affected by completion will find nothing in the new legislation to which they can appeal. Once the legislation is in place, the onus of seeking justice will be placed entirely on individuals, who will have no recourse other than through their professional associations.

Thus, with the minister bound by a new law lacking provisions for dealing with such injustice, and the association confronted with a board perhaps unwilling to make any concessions through collective negotiations, injustice will continue. While something can still be done, I hope the committee will try to act on the suggestions which have been made here.

Once again, thank you for the opportunity to put these concerns before you today, and best wishes in your efforts to ensure that Bill 30 will be, and will also appear to be, fair to all concerned. I have appended to my presentation tonight an article that appeared in the *Toronto Star*, which has the information I used to present one of my examples.

The Vice-Chairman: Thank you very much. Questions from the committee?

Mr. Allen: I want to thank Dr. Amenta very much for a brief that required a good deal heavier thought than some of the ones we have had recently. It was strikingly new in many of its suggestions and the level of reflection in the first part of the brief. I just want to content myself with saying that about the first portion which I think is a very useful contribution.

What I still do not entirely understand, and the argument has been presented to us before, is the likelihood of impact upon existing separate school teachers by the arrangements made for the transfer of staff from the public system. There are assumptions that underlie the bill and if they are wrong in their assumed impact, perhaps you can tell me. The assumption is that the transfer of staff will only take place with the transfer of students so jobs follow transferring students.

Apart from Bill 30, those transferring students would not be expected to be in the separate system. Therefore, no excess of public teachers will be going to the separate system beyond the transfer students. Perhaps there might even be fewer, because what the legislation calls for and even the proposals we have for voluntary transfers and all the rest of those changing mechanisms that we are envisaging may have an effect.

I would assume there have to be qualifications among the redundant teachers, the designated teachers, that will match up with the needs of the separate system. If they do not, there may well be fewer transfers than the normal pupil-teacher ratios would indicate. If there are, those remain in the public board so they are the public board's responsibility. But all this being the case, how is an Ontario English Catholic Teachers' Association teacher adversely impacted in any respect?

Dr. Amenta: The separate school teacher teaching at the elementary panel does not follow the students who go to the secondary school level.

Mr. Allen: Why not?

Dr. Amenta: The example I had given in the Ottawa board indicates simply that teachers who would normally have had the opportunity to go to the secondary school level will no longer have that opportunity because it will take second priority over those who are designated.

Mr. Allen: Why?

Dr. Amenta: My understanding is a list of teachers is provided to the school boards from the non-Catholic school sector. They are available

for positions as they arise and are first in order of priority.

Mr. Allen: Only to the extent that they are calculated on the basis of their receiving boards pupil-teacher ratio for the incoming new students. The incoming students would not be there but for Bill 30. Therefore, this does not impact on the normal carry-through of students from the elementary into the secondary system in the separate school.

Therefore, the normal growth pattern in the normal student cadre of the school into the secondary system is not affected and any aspirations teachers in the elementary might have had to move into the secondary system are there in the same measure or slightly more than they would have been earlier. There may not be a complete match between the qualifications of a redundant teacher in the public board and the needs of the separate system.

Dr. Amenta: So what you are saying, in effect, is that the students are not coming from the separate elementary panel but from the public elementary panel. That is why teachers have that priority.

Mr. Allen: That is right. No teachers are required to be hired by the separate board in excess of those numbers.

Dr. Amenta: The only other example I can give is that of a teacher, whom I have heard of, who has attempted to enter the secondary school panel in the board where I teach. This teacher does not feel he has a chance of getting in because the priority is being given to teachers coming in from other schools.

Mr. Allen: I submit many of those feelings are around in many places among many teachers. They are without justification on the separate and the public side because these teachers have not really understood the proposed mechanism and how it will impact on them. On the other side, they do not understand how it will protect them as distinct from how they imagine it might.

9:20 p.m.

Dr. Amenta: In the example you give, I really have no cause. But the other example I have given is where a teacher comes over to the separate board and brings with him the allowances and salary commensurate with the position of responsibility. That teacher is placed in an invidious position among staff because there will be teachers teaching in the same school who will have the same qualifications and experience.

Because of the disparities in the collective agreements, these established teachers will be

earning less and may be doing the administrative work of the head of a department, let us say, and not be paid for it, not even the allowance. So there is the difference of salary, allowance and work. This is demoralizing to the teachers who have to live with that situation, even if it is only a while until they catch up with the teachers whose salaries have been red-circled.

Mr. Allen: I was not clear what your recommendation is with respect to that situation.

Dr. Amenta: This is where it becomes very difficult. What I would have recommended is that somehow the sections in the present draft, subsection 136o(1) and 136m, be modified. In section 136m we have a grievance arbitration provision. That is for the teachers who are designated or think they should be designated but are not.

Perhaps in that section there could be an expansion so teachers who felt for whatever reason that their professional status or their salary was, if not suffering, being cast in a poor light and somehow diminished in their eyes, they would have an opportunity to appeal that, if they cannot do it through the contract.

Mr. Allen: Do you mean the teacher already in the separate school or the transferring teacher?

Dr. Amenta: The teacher who is in the separate school in the examples I gave. Let us say there is a teacher performing the duties of a head of department, but someone is transferred to that school. That teachers carries with him the allowance for headship, but is not carrying out the duties of a head. He is being paid for it and the teacher who is working in the school and carrying out the duties is not being paid for it and is not considered the head.

Mr. Allen: I am not quite sure what his grievance would be.

Dr. Amenta: His grievance would be that he feels he is not being recognized, either in terms of status or position of responsibility or in terms of being remunerated for his services, whereas the other person who is not doing the work is in both cases.

Mr. Allen: Okay, I am sorry. I thought you were still talking about the transferring teacher.

Dr. Amenta: No, the separate school teacher. I am concerned that he should have some opportunity to grieve if he feels he has cause. The point is that unless the teacher grieves the fact that the board has, in fact, hired someone with the same qualifications, experience and responsibility but is paying him more than the first teacher is already receiving, he has no recourse.

Mr. Allen: In principle, is this a different situation from that of a normal teacher in the separate system who does not have any position of added responsibility, and therefore no additional increment to his income by virtue of that, and who finds himself at a lower income level than a designated teacher who transfers over and who likewise does not have any additional increment because he does not have a position of added responsibility? What is the difference in those two situations?

Dr. Amenta: I suppose the person who is doing the work and not getting the remuneration and not working under the title of head of department does not see the opportunity of moving forward because the other person is in the position. I am not sure if I have answered your question.

Mr. Allen: That introduces another element into the picture. I am taking the straight comparison between a normally designated teacher, with no position of added responsibility and no additional income, who transfers over. You have a comparison with the equivalent teacher in the separate system. Then you have the scenario you painted. Obviously, there is differential income.

Dr. Amenta: It would be a lot less, too, in that case.

Mr. Allen: There would be a lot less, too. That is right.

Dr. Amenta: The difference would be overcome in a matter of one or two years. In the example that I was giving earlier, the difference could be a lot greater than that. It would not even be fair to the person who is getting his salary red-circled, because that person has to wait a lot longer to receive any increase in salary.

Mr. Allen: As my last question, do you recognize that the reason for the red-circling of the salary of any transferring teacher who is designated is simply the impact on his own career that Bill 30 has exercised by Legislative fiat? There is that discrimination against him as well, and this is a kind of compensation. Clearly he will not be making and maintaining the salary increments he would have in the public system if he stays in the separate school under a red-circled arrangement. Do you understand that is why this arrangement is in place?

Dr. Amenta: I also have the impression that the red-circling provides the teachers already in the system with the feeling that, although there is a disparity, it will soon be overcome and will not go on forever. That teacher will not be earning

that excess amount for the tenure of his position with the school. There will always be that difference.

Mr. Allen: Yes, that would depend on the progress made in the collective bargaining unit.

The Vice-Chairman: You are asking us to do something in Bill 30 that the Ontario English Catholic Teachers' Association will have to do at the bargaining table. As a former trustee, I suggest that if we tried to do something like you are suggesting, the separate school trustees would be before us saying we are taking away their authority as trustees to run a board and negotiate with the teachers who work for their boards.

Dr. Ament: The present legislation already contains clauses to be included in all collective agreements, so in a sense it is already interfering with the collective bargaining process. The point in my previous brief was that with the legislation completed, the government is already imposing a certain structure and changing the setup from outside. It is not something the collective bargaining process has created in its infinite wisdom over time.

I do not see any inconsistency in introducing another clause that would provide people who feel adversely affected—let us leave in abeyance whether they are or not—with the opportunity to make presentations to somebody who would listen and may be able to do something about it. They cannot write to the minister because the minister will say, "It is between you and your association and the board." They cannot go to the board because the board will say, "It is between you and your association." They have nowhere to go as individuals.

The Vice-Chairman: I do not see how the legislation could carry out that function.

Dr. Ament: I made a suggestion.

The Vice-Chairman: All the legislation is saying is that no teacher in the public school system who loses his or her job as a result of the extension of funding is going to suffer financially if he or she has to go to the separate school board to teach. We are not saying we can raise the salaries of the separate school teachers to equal those of the public school teachers.

Dr. Ament: I am not asking you to do that. I had suggested the minister might make statements to the effect that the boards, in their own way, try to discuss these matters and resolve them.

The Vice-Chairman: I suspect they will be discussing these matters.

Dr. Ament: I think they will, too. What I had asked on page 5 in my previous brief was that the following wording be introduced. I will read it all and when I come to the additions I will point them out. Since there is already grievance arbitration available to the teacher who has been designated or who feels they should have been designated:

"A dispute in respect of the designation of or the failure to designate a person on the teaching or other staffs of a public board or in respect of the employment of a person designated by a public school board"—then I have added—"or in respect of the separate school teacher's enjoyment of rights and privileges equal to those of an appointed person designated by a public school board"—then the original continues—"may be resolved by a grievance arbitration in accordance with this section."

The same group of people who would consider grievances that were forthcoming would also consider these. It is all I am proposing.

The Vice-Chairman: Except I think you are comparing apples with oranges.

Mr. Guindon: I agree with him.

The Vice-Chairman: Run for school board then; the elections are coming up soon.

Dr. Ament: I will vote for him.

9:30 p.m.

The Vice-Chairman: I am sure you will.

Thank you very much for coming before the committee. The score is now two-zero. Would members of the committee bring their materials with them, since the committee will not be reconvening until next Monday, and there is no guarantee there will not be other committees meeting here in the interim.

Mr. Guindon: Could we get some information on the planning and implementation commission's idea of the guidelines that we received at noon?

The Vice-Chairman: They are going to be before the committee next Tuesday.

Mr. Guindon: I am relatively new at this game and I am not used to being told to go out for two or three months to work on a bill and then having guidelines thrown at us three months down the road. I feel we are now working on Bill 30A, not Bill 30 any more.

The Vice-Chairman: They will be before the committee next Tuesday. I do not know whether there will be ministry people, but the commission will be before us next Tuesday, so those

questions and comments can be put to them at that time.

Mr. Guindon: If the minister would want to make some amendments to the bill he could just say so and not have the planning and implementation commission do it for him.

The Vice-Chairman: If there are no other comments from the committee, we stand adjourned until next Monday.

The committee adjourned at 9:32 p.m.

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- Amenta, Dr. S. A., Private Citizen
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Ontario

No. S-69

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Monday, October 21, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC




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Vice-Chairman: Cooke, D. S. (Windsor-Riverside NDP)
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Monday, October 21, 1985

The committee met at 3:38 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to Amend the Education Act.

Mr. Chairman: I call the meeting to order. A debate is occurring in the House at this point on whether the ordinary business of the House should be dispensed with so there can be an emergency debate. I asked the House leaders to give us permission to sit anyway, given that witnesses have been invited to come today. There has been general agreement amongst the three parties that we will proceed with the hearings as usual.

The first presentation today is from the Brant County Roman Catholic Separate School Board. I ask the representatives to come forward to the seats directly in front of me. I remind the members and guests that there is no smoking, for the great health of the chairman if nothing else. We have item 827 from this group. Item 827A has been added. It is a series of graphs and is being distributed to you at this time.

BRANT COUNTY ROMAN CATHOLIC SEPARATE SCHOOL BOARD

Mr. Dignard: I will introduce the representatives from the Brant County Roman Catholic Separate School Board. We have Mrs. J. Wrazen, vice-chairman of our board; Dr. J. J. Flynn, director of education; and myself, D. Dignard, chairman of the board. Other representatives are in the room including representatives from the students' council at St. John's College, our single secondary school.

I express our appreciation for the opportunity to provide input for the committee. We thank you for your work in ensuring the most effective transition to a new phase of education in Ontario. Dr. Flynn will make further comments relating to the proposed legislation.

Dr. Flynn: Mr. Chairman and members of the committee, I have heard you in a variety of settings beyond as well as in this room and I would like to add my personal commendations for your work on this issue and for your great patience. I think it is a great lesson in democracy for us all.

You have received copies of our brief. I will not read it all, you will be glad to hear, even though it is short. I will comment on two or three points in it and add some additional points. We will respond to your questions later.

I have distributed some sheets on our system and I would like to go through them very quickly. The last sheet with the map on it indicates the county of Brant, which is a relatively small unit compared with many other counties or regions.

The red dots represent our elementary schools. There is one green dot and that is St. John's College, our only secondary school, which is within the city of Brantford. Because it is within Brantford and a bit removed from the outlying schools in Paris, Burford and Scotland, I think we have to be realistic and anticipate that it would be very unusual for us to get 100 per cent of our grade 8 graduates from all our elementary schools because there is busing involved.

There are some additional factors on the sheets. You will notice on the middle page the change since 1978 up to 1984 and into 1985; the growth of the school over the past seven years. The enrolment at the school this year is about 1,170. About another 65 students have been added this year. Most of them have been holdovers from grade 10 into grade 11 and we have had increased numbers from another county. The Haldimand-Norfolk Roman Catholic Separate School Board is purchasing education from us.

On the third page, you will notice that we have graphed the rise in enrolment from grade 8 into grade 9 since 1979. For some reason there has been a dropoff this year. We had anticipated getting to 80 per cent but we are coming in around 72 per cent. We are looking at that and wondering why the kids did not come this year in grade 9 whereas they have been coming for the last four or five years. There may be a variety of local reasons and we are looking into that with the grades 7 and 8 elementary school principals this week.

All these facts, and the school moving from two smaller buildings on different sites eight years ago to the present single site where there are 15 portables, have indicated to us that the parents in Brant county have continued to support our school very heavily. Even before the

funding announcement, that support was very evident and increasing.

We have had to respond in a variety of ways. We have enlarged the number of options and levels in the school. We have moved strongly into special education so that, beginning this year, we have been able specifically to accept all of the students identified in the elementary schools as exceptional, and we are providing for them at St. John's.

Our technical education is not at the level we would like. We are having discussions with the board of education about the possibility of purchasing some of that. All that development has occurred in Brant county because of the tremendous efforts and support of many people, particularly the parents. Obviously, it indicates a deep commitment to the kind of thing we are trying to do at the school. We think and are very confident that the school reflects the best aspirations of parents and of Ontario; we see these as coincidental.

I would like to make some quick comments about what happened as a result of funding. The announcement of full government support was great news for us. We had been in a very difficult financial position, trying the best we could. The events of 1984 spurred a newer kind of activity and we have been actively involved to make the most effective use of the new opportunities.

Some of the views that have emerged and been expressed publicly in the last few months have surprised and perhaps even shocked us. Despite the strong views on this emotional issue across Ontario, the laying down of extreme positions offers no good solutions. These have been unfortunate. Maybe their being laid down allows us to face and deal with them.

Neither side in this very interesting debate is immune to these extreme rhetorical statements. Perhaps all of us must regird ourselves to become more tolerant, respectful and understanding.

I want to comment on the process we have all been involved in. We are pleased to participate in this process. It is a very reasonable process. We strongly oppose the notion that large segments of the population of Ontario have been disfranchised or muzzled as a result of this whole operation. They have not been muzzled or disfranchised, as we as Roman Catholics could not, did not and will not claim we were muzzled before 1984. We might have been somewhat frustrated but we were never disfranchised or muzzled and nobody has been now.

I have commended you for your patience in all this. We strongly support your views for

tolerance and good common sense. Common sense, of course, is not always as common as all of us would like.

I would like to refer quickly to some pertinent phrases in the brief.

The board proceeded with the full confidence that all parties in the Legislature supported the brief. We worked with the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario in full co-operation. We assure you that we consider what we have in Brant county to be a model of co-operation, and I am not saying that because a member of the committee today comes from Brant county. The respect that flows between one board and another, and between us and the city and the other municipalities, is something we work diligently to develop and maintain.

No teachers were transferred from the board of education to us this year. For a variety of reasons, attrition, small numbers and so on, no staff had to be transferred although we were prepared to do that. We will comment about that later.

Seven students transferred in and seven transferred out so we ended up in a reasonable situation. For the first time since I have been involved in educational administration, which I am terribly afraid to have to admit is a long time, we were right on. The number of students we had anticipated having in our elementary and secondary schools in April was precisely the number we had when we counted the names and numbers on September 30. It surprised me but it was good to know we were that accurate. No major transfers and no disruption occurred as a result of massive numbers of students coming over.

I indicated earlier in the graphs that we held over more students than before from grade 10 to grade 11. We used to lose about 35 to the board of education, if I may use the term "lose." This year that went down to 20 and that was offset by the smaller number coming from our grade 8.

3:50 p.m.

Going back to the brief, we support the principles enunciated by the minister in the House. We see them as speaking to a civilized effort to achieve justice, freedom and toleration in this province. The implementation of the principles must maintain their spirit, and that spirit was evident. Whatever form the final legislation takes, we are confident the process will result in a lot of sifting out and the best thing happening.

The rights of Roman Catholic schools as they pertain to elementary schools have been well

recognized. There is no need in Brantford—there may be in one or two other places—for Bill 30 to extend to elementary schools.

We have been pleased by the sense of order that the planning and implementation commission has brought to what could have been, or perhaps was, a turbulent time. We would like to see it continued and supported with the kind of regulations that govern the Education Relations Commission.

If we have such a strong body with authority—it has no final authority; it works through the ministry of course. We would like it to have the same power of call on all boards. If it calls for any kind of plans pro or con, it should get the plans. They certainly got the plans from Brant county, but in other places some boards did not submit impact plans this year. They still get the grant as a result of losing their children, which is a nice state of affairs that was not enjoyed by the separate school boards in those regions. If they had not submitted the first plans, they would not have got any money.

The intent of legislation, as we understand it, is that no person would lose his or her position, job or comparable job as a result of the funding. We support that. In our plan to the commission, we said we would accept into our school system non-Roman Catholic personnel who were being displaced because of the funding. That is not a problem for us.

On previous occasions we have hired non-Roman Catholic people. They have contributed strongly to the kind of thing we are trying to do in the school system. Anybody working in any school should and would be expected to contribute to achieving the objectives of that school. That is the case in a Catholic school as well.

There has to be some provision to allow volunteers, people who want to change over, to do that. I understand from my reading that is going to happen.

Our bottom line, if there is a bottom line in all the things we do in education, continues to be—and I cannot ever reiterate it strongly enough—the care of the students, obviously in the light of the parents' wishes. In loco parentis relates to the teacher, but society is made up, not of organizations but of individuals, families and a whole lot of other people. Schools are there to serve the parents' wishes with the view that objectives established for public education across Ontario are being satisfied. Therefore, we have admitted and will continue to admit non-Roman Catholic students to our schools.

The question of the wholesale change of assessment obviously will come before the other commission, the Macdonald Commission, which I understand is reporting this week. The transfer of Roman Catholic students willy-nilly from the boards of education to our schools without any appreciation of caution is likely to result in some difficulties in planning.

We know that about 15 per cent of our parents will probably never put their children into our schools. We are not exactly sure how many Roman Catholic parents choose the board of education schools. It is reasonable to expect that if the roles were completely open either way, about 10 per cent of parents who now go without question to board of education schools might consider Roman Catholic education. Of that 10 per cent, a number would be doing it for reasons that we could term purely whimsical.

I am concerned about the people who attempt to switch back and forth, and we have attempts at this all the time. The whole question of open access has to be carefully looked at and opportunities made available for people to exercise their choices. A lot of things such as providing cutoff dates in the year have to be introduced.

We feel the elementary school operation in Ontario offers a good model for co-operation between coterminous boards; it has worked well. We share a lot of information about special education, we share transportation, we share in our particular board delivery of services to schools and so forth. There is a good deal of talking back and forth on those kinds of levels. We have had no difficulty in dealing with students who come from the board of education who may or may not be Roman Catholic supporters. We have procedures all laid out and they work very well.

Therefore, we would commend and perhaps hope that when the committee is making comments about secondary education that when you talk, as we hope you will, about the work between coterminous boards and the sense of co-operation which should and will prevail with goodwill, you refer the boards to the example that exists for the elementary school operations.

Those are some comments. I would like to conclude and, on behalf of the board, again thank you. We can give a strong statement that is listed under "Conclusion" in our brief today. All the employees, all the members of the board and the parents, many of whom speak to us and speak to me and to teachers and so on, are concerned that the whole thing should work well. We are not

going to spare any efforts; we have not, I think. We are certainly going to work as hard as we can to ensure that an educationally viable situation exists for the fully supported Roman Catholic secondary school system.

As it comes in, there will continue to be problems for many years ahead. However, looking over the past 10 or 12 years, it seems to me the problems we thought were enormous in 1968-69 and 1982 now seem somewhat trivial, and the heart attacks some people had then seem to have been wasted on something which did not require that expenditure. Perhaps the same situation pertains at present, but we are going to work to do our best not to have a heart attack but to reduce heart attacks on the part of everybody else.

We will comment if we can.

Mr. Chairman: I have great sympathy for those last comments about reducing heart attacks. I believe in that personally.

You have actually touched on most of the things I normally raise with questions. I do not know if that is the case for other members. The one thing I am not clear about, though, is precisely what your plan has been.

Your school, St. John's College, has grown a great deal over the past number of years. I wonder if you would fill us in a little. We are not all, like the member for Brantford (Mr. Gillies), aware of the local situation. Do you have a lot of portables? Did you have a plan in for capital construction or for taking over other schools? What is the situation with the public board at the moment? Just give us a little fuller idea of the local situation.

Dr. Flynn: This year we had to add eight portables, which takes us up to 15 portables onsite now. There is a building that is half-owned by the school board. The other piece and the gymnasium are owned by the diocese of Hamilton. We have been assured by the diocese that we can continue to rent; we have a rent-sharing agreement. We have use of the permanent building.

Within the city of Brantford there are four secondary schools. We talked with the board of education last year and raised the question of how much space, if any, they would have for us this year or in 1986 or 1987. We were told they could not see in any of those three years any possibility of sufficient empty space; there might be a classroom here or a portable there. They have portables at three of those schools. They could not see any likelihood of space emerging in the foreseeable future. As to whether there will be

space after that, we will have further discussions with them shortly.

We attempted to ask the Ministry of Education a year ago for funds for an addition to our building—a straight academic addition, incidentally, not a technical addition. We were told we would have to make that submission to the commission, which we did. We have been told likewise right now, and tomorrow night at our board meeting we will look at our capital forecast for this year. We have been instructed to deal only with elementary schools. Any request for secondary goes on to the commission. We will make a submission to them and continue to hope.

Just for information, I might add that our number one request in the elementary area speaks to what we consider to be our unique method of sharing in Ontario, where we are talking about building in combination with the parks and recreation department and the board of education. They would build an elementary school, we would build an elementary school and the piece in the middle would be built by parks and recreation. We already have a building between us and parks and recreation. The board of education comes along a little later, but we are pleased to welcome them.

4 p.m.

Mr. Chairman: I promise to send Hansard on to the member for Haldimand-Norfolk (Mr. G. I. Miller), who keeps raising this notion as a model you can follow.

Mr. Reycraft: You have a number of non-Catholic students in the school. In your brief you expressed some concern about complete open access. What is your policy about admitting non-Catholic students to the school?

Dr. Flynn: Until now, if they came and we could accommodate them within the programs they required, we have been admitting them. Prior to the introduction of government support, of course, if they came to the private school they paid fees. Now they are being admitted without paying. There are about 45 within the school in grades 9 to 13.

We have admitted them and they take the same programs. They are questioned as to why they are coming here and so on. Generally, they want to come because they want whatever they see within the school. If that includes religion, they take the same religion program as the rest of the students.

Mr. Reycraft: Have any ever been refused admission?

Dr. Flynn: We have not refused any admission because of things such as space. If they wanted programs that we were not offering, that has been explained to them. No one has been refused by saying, "We have room within our program; we just do not want you because you are not Catholic," or something of that nature. That has never been an issue with us.

Mr. Reyecraft: Is your only concern about the open access policy the disruption that might result from students deciding late in the school year on a whim, as you said, to transfer to the system? Are you also concerned about the effect it might have on the catholicity of the system?

Dr. Flynn: We are not concerned about the latter. We are more concerned about the former.

Generally speaking, there is a need in Ontario for some control over the transfer of students between panels, boards and schools, particularly between schools and panels. At present, people can come almost when they like; we get the middle-of-September rush every year, the eight or 10 kids who come and the eight or 10 who leave. That is not too many.

If it becomes evident that they can try St. John's College, St. Michael's, St. Charles or whatever it happens to be, a number of parents will. Perhaps it would only happen in the first year or two and then would settle down. This percentage of people want to go just to exercise their choice. Perhaps they should have the choice, and maybe we just have to suffer through that.

I am a bit concerned about the disruption.

Mr. Reyecraft: Some urban jurisdictions in the public system do not have jurisdictional boundaries for secondary schools and are also concerned about students making a decision late in the year on whim. Generally speaking, they addressed that problem by requiring students to fill out option sheets by a particular time early in the calendar year, so they can plan accordingly.

Dr. Flynn: We attempt to get the students to fill out option sheets. Our biggest problem in secondary schools continues to be the students in grade 8 who fill out two option sheets and exercise that option on September 1 or 2, whatever date Labour Day is; they may go to one school on the first day and then go back and forth.

We have the problem of trying to track those students down. If they turn up at a school, it is just a late problem, the 10, 15 or 20 kids times the number of schools you have. The problem is that if they turn up at no school, then someone has to chase them down as well. These are the practical problems of organizing schools.

Mr. Davis: I commend the board for bringing its report to us and especially for its innovation in building a shared facility with the elementary panel of the public board as well as the parks and recreation department. I point out to my colleagues that in 1976 I suggested that would be an excellent idea in the northern part of Scarborough, but it did not seem to fly.

Dr. Flynn: We have not built it yet.

Mr. Davis: But you are going to.

Dr. Flynn: We are asking for the money.

Mr. Davis: I think it is appropriate.

I would like to continue in that vein for a moment and ask what your plans are for expansion in the future with respect to school jurisdiction. Will it be outside the city of Brantford or inside?

Dr. Flynn: Probably inside, because that is where the predominant number of students are.

We are trying to look down the road at an ultimate enrolment in our secondary school of perhaps 1,300 or 1,350. Without getting into the viability question, although we are pleased to talk about that too, we think that at 1,300 or 1,400 the secondary school is getting kind of large. Therefore, from an education point of view, we could quite reasonably talk in terms of having a second secondary school that would perhaps take off 700 students. Then we would end up with two relatively good units, although one has to make certain assumptions with that as well.

The question is whether we do that outside or within Brantford, and that is obviously going to reflect two or three factors. It is going to reflect back on the availability of space or a building in Brantford. If such a building were to come open, we would obviously look at that very quickly, deeply and with consideration.

If such a building were to come open outside of Brantford, we would have to look at the possible effect on us and maybe on neighbouring jurisdictions. We would then have to look at Haldimand-Norfolk, and we ought to look, for example, at the Oxford County Roman Catholic Separate School Board, which is attempting to develop a secondary school. So there may be some connections made.

Mr. Davis: Let me follow up on that. Let us say you went to Haldimand-Norfolk, and that then placed duress, according to the public board, in its areas. As I understand the planning and implementation criteria, you would not be allowed to do that. Is that correct?

Dr. Flynn: That is my understanding.

Mr. Davis: So you are limited by the new planning and implementation criteria to one of only four options that I see open to you. Tell me if any of these would be of any good to you. What about space in your own system? I understand there is not any.

Dr. Flynn: We have not got any.

Mr. Davis: Space in any of the elementary schools?

Dr. Flynn: None.

Mr. Davis: Space in the public educational system?

Dr. Flynn: None, we are informed.

Mr. Davis: Then you are going to live in portables?

Dr. Flynn: We are.

Mr. Davis: Are you happy with that?

Dr. Flynn: No. We have not asked for money to put an extension on our present school because even if we were to pick up a 600-student school somewhere, say if the board of education were to move out of its vocational school and integrate all the students and leave that building there for us—which may or may not happen; we shall see—we still do not like the notion that some of our kids would still be in portables.

I guess I am a portable man from way back. I was in Downsview when we did the Firgrove thing, for example; it was one of my schools. Also, I was downtown when we did St. Luigi and Santa Maria. Portables seem to be part of my life, but it does not mean I like them.

We can do many good things in portables, but they inhibit the operation and movement of students. You know all the reasons belonging to portables. There is a psychological detachment; it may be mild, no matter what the teacher does, but you are cut off from the library and a whole lot of things. Certainly in a secondary school, movement is inhibited.

Mr. Davis: Can I move to student transfers? If a student in your system decided he would like to go to the coterminous board for reasons other than program needs, would you allow that student to make the transfer and would you send the required funding across?

Dr. Flynn: We have not talked about that at the board; so I am going to give you my own opinion. My own opinion happens to be yes.

The problem we have, of course, relates back to the program the students might be undertaking, and since the question has been raised, I will go to it. What happens if they want to go over

there into a very expensive technical program? The answer to all that does not lie in a flat transfer for every secondary school student; it has to be in differential grants, depending on the program, which would apply for all boards.

4:10 p.m.

Mr. Davis: I stand to be corrected, but my understanding is that Bill 30 says that if a student wishes to transfer, he should have that right without great duress being placed upon him, other than an interview by the principal or a guidance counsellor, to make sure there is not a conflict with the parent or with the teacher, which sometimes happens. Otherwise, he should have that right to transfer across and the funds should follow.

Dr. Flynn: We see no problem with that. Again, educationally, it has to be clearly understood by students that going just because they feel like it, etc., is not in their best interests. The interview with the guidance people or the principal, it is hoped, would extinguish some of those extreme cases and get them down to manageable numbers.

That is done now by and large, although there may be some instances where pressure is brought to bear, but I do not like it. It inhibits the student's learning.

Mr. Davis: That is right. It may be necessary for that student to go across to that panel, whichever way, and to find out that his educational home is back in the one he left.

Dr. Flynn: Yes.

Mr. Davis: And that is a learning experience.

Dr. Flynn: Sure. We have had them come and go back again.

Mr. Davis: How many teachers would have been transferred had they not been taken up within the board?

Dr. Flynn: Two.

Mr. Davis: And you are not responsible for those two in future?

Dr. Flynn: We do not see that we are responsible. The director of education of the board of education has not raised that likelihood. The responsibility ends that year; otherwise you could have an ad infinitum sense of responsibility.

Some director who will be in charge of this board, who is probably in kindergarten at present, might suddenly realize X years hence that one year, in 1985, 1986 or 1987, they incurred all these debts. It does not make an

awful lot of sense administratively. There have to be some limitations on that kind of accumulation.

Mr. Chairman: Any suggestions, Mr. Davis?

Mr. Davis: I am going to talk to the labour relations people again.

Mr. Allen: I have a very brief question. You alluded to some discussions that you had with the public board—

Dr. Flynn: We have some going on.

Mr. Allen: —and you talked about this prospective school that Mr. Davis alluded to also. Are there further items you should list for us in that category? Second, do you have any structure to facilitate movement of ideas and proposals back and forth between your two boards?

Dr. Flynn: The additional items would include, for example, the fact that the guidance staff of our board works with the other board of education in a number of activities; they meet regularly. There are interschool athletics, all across the board in Brant county, between our schools and others.

We have joint activity for the repair and procurement of audio-visual equipment, and there is a good deal of informal sharing between the administrations. There is a strong social connection, if I may put it that way, between the two boards in the sense that they meet regularly and share time. There is strong respect between them.

There is much ground on which to continue to work and expand. There are no formal connections in the way of a joint committee or whatever. Perhaps chairman Dignard will comment on that.

Mr. Allen: He could also comment as to whether he would think such a committee would add anything to your present pattern of joint activity.

Mr. Dignard: The trustees from both boards have a good relationship. It started well and is continuing. We are looking forward to its becoming even stronger. We have not established a trustee group to oversee that kind of operation, but I would hope it would be running in both boards within the next six months. That is purely speculation on my part. From my past relationships, that is what I expect.

Mr. Chairman: Mr. Gillies, you wanted to make sure we were not rude or very nasty to your constituents. I hope we have more than accommodated your every wish.

Mr. Gillies: You have been more than complimentary.

Members of the committee would understand, having heard this presentation, why some of us in Brant county were a little taken aback at some of the reactions to this policy in the last year because we have such a history of co-operation.

In that vein—this is a suggestion more than a question—I wondered if you might forward to the committee a brief history and description of the Brantlyn Park project, the proposed joint project.

Dr. Flynn: Sure.

Mr. Gillies: The way that developed, with a lot of support from the former Minister of Education (Miss Stephenson), could become a model for the whole province.

Regarding our local situation in Brantford, you indicated that our secondary separate enrolment may peak at about 1,350.

Dr. Flynn: Yes, that is our estimation based on the present population of the county, which we think is going to continue to creep upward.

Mr. Chairman: By what date? When are you seeing the peak of 1,300?

Dr. Flynn: That will be in about two years, when we have grade 13.

Mr. Gillies: You seem to indicate a preference for accommodating that number on two campuses. Is there not room for the necessary expansion at the current St. John's site? What is your reasoning here?

Dr. Flynn: There is room. Obviously it would save money if Fawcett, for example, were to become empty and we were to utilize that. We would have the benefit of that without an outlay of \$5 million or \$6 million in new buildings. We would obviously like to get away from the portables. That is what we will go for in the event of lack of availability of the other.

Educationally, though, I am not convinced that schools of 1,400 and 1,500 are the best human situation in which to place students. There are better numbers. The research that I have been looking at indicates that we should be looking at lesser numbers and doing some slightly different things in schools vis-à-vis the humanization of education.

I should comment about that because I think it refers to the viability of small schools. I understand there has been discussion that there is a question there.

Mr. Chairman: Do you have a number for viability at the bottom end?

Dr. Flynn: The viability is not only based on numbers. I have heard members of this committee talk of 500 or thereabouts. We have to keep in mind that this is going to vary from place to place

and person to person. What works and is viable with one principal in one place may not work 60 or 80 miles away.

The needs of the students have to be kept uppermost, but also the question is, to my mind, who interprets the needs of the students? Is it always going to be "someone at the Mowat Block" or is it going to be sometimes the parents in the local situation? Maybe their interpretation of the needs of students has to be balanced off. "Balance" is a word we have to keep in mind.

The whole issue has raised a lot of questions about small schools. I have been surprised, if I may say so. The professional administrator says "I wonder where all the worry about small schools has been before this?"

Mr. Davis: Declining enrolment is a small-school issue.

Dr. Flynn: Okay. I will take that as being correct.

I would like to suggest that perhaps it is time we seriously considered doing something in Ontario about small schools technically. As long as we cling to the notion that a school is 500, 300, 89, 1,000 kids in one place with one group of students, we are in trouble.

We have to break that apart and say a school is a group of people connected to other groups of people in a variety of contemporary ways. I would like to see, for example, every small school—that is, schools of fewer than 400; I will pick that number from the BC study—connected to a large school in what I call my link-to-school project. In this way the expertise which we say and which we think generally exists in the large school would be directly available to that small school.

Let us take the school in XYZ in northern Ontario, if that is where it is, and link it to Central Technical School in Toronto. We can do that. We know we can do that technically. This link-to-school or adopt-a-school kind of thing then makes it possible, and one can very quickly look at the possibility of some really expert teachers putting on unusual courses in the large urban schools and these being available directly to the small school out there in the sticks, if I may use that expression.

4:20 p.m.

I would be delighted at St. John's if we were to have such a connection somewhere in Ontario. I think it would do our school a lot of good and it would do them a lot of good to make our expertise available to them. It might also result in the lack of necessity for things like northern grants and all those other kinds of things.

We have to look at the whole question as Rodger Allen did in his work, as you know, and he suggested the technical connections. I think we should get on with that; there is much in that. Then the whole question of whether or not 200, 300, or 500 kids in a school constitute a unit becomes a different question.

It becomes, what are they going to do with the 200 kids or 300 kids or whatever it happens to be, and how are they going to be connected? How are we going to ensure educational opportunities for them? If we are going to rely only on teacher personal delivery, we are doomed to continue to be second rate in that delivery element. That is my little personal beef today, so I will leave you with it.

Mr. Chairman: Thank you, Dr. Flynn, for leaving us with that provocative thought. I think it was in Sudbury we were approached by an educator in that area about the whole failure of the system to use the technology that is out there to improve the capacity of equalizing education for smaller schools and smaller communities. I appreciate very much your taking the time to come before the committee, and I am glad the member does not feel we have abused you at all in your appearance.

Dr. Flynn: On the contrary, we have been quite well received.

Mr. Chairman: Members, I am amazed at your unbridled enthusiasm, after 827 delegations, to continue to want to go overtime, but that was your choice.

Our next presenter is Ward 5 Citizens Confederation, item 828.

WARD 5 CITIZENS CONFEDERATION

Mr. Baar: We appreciate your enthusiasm as well.

Mr. Chairman: I respond in kind.

Mr. Baar: It is a pleasure to be here from Burlington. I see our own member here today, as well as members from the two adjacent regions in Hamilton and Peel.

I appear today to express the concerns of a ratepayers' group in the city of Burlington about the inequitable and possibly unconstitutional provisions for representation contained in section 59 of the Education Act.

Our group has been actively involved in seeking to ensure that Burlington would no longer create inequitable school trustee districts by combining existing city wards. As a result, we learned that the Education Act apportions school trustees not on the basis of population but on the

basis of property value. We believe those provisions are rooted in an antiquated notion that the votes of people should be given more weight if their property is worth more. We believe this violates the Charter of Rights and cannot be justified in a democratic society.

In addition, we have been concerned that, while proposed city ward boundaries are reviewed by the Ontario Municipal Board to ensure that differences in population among wards are not too great and that wards are created in ways that respect traditional neighbourhoods within cities, school trustee districts are not subject to review and no criteria restrict the discretion of those creating the districts.

We consider the existing level of accountability to be totally inadequate and thus our proposals to you today seek to increase both equity and accountability. We would recommend amendments to the Education Act which would affect both separate and public schools.

The first recommendation is that trustee districts should reflect population rather than assessed value of residential and farm property. A free and democratic society bases representation on numbers of people, not on their wealth.

Within the regional municipality of Halton, assessed value is growing at very different rates than is population. Use of 1985 assessed value would have given Oakville and Burlington the same number of public school trustees, although Burlington has nearly 50 per cent more people than Oakville.

While Canadian case law under sections 3 and 15 of the charter has not yet emerged, American precedents under the United States Bill of Rights have determined that an average deviation in population of less than one per cent among congressional districts is excessive. Rather than creating disruption following litigation, it seems appropriate to amend the current legislation now.

Use of population rather than property value also will not lead to swamping of rural voters by urban voters. A recent Ministry of Education study suggests that the current use of assessed property has resulted in a slight overrepresentation of urban voters.

Our recommendation would require the availability of accurate population data in devising recommendations for allocating trustees. Within the city of Burlington, our group had to work with population estimates since the most recent data were for 1982. The estimates by ward provided by the clerk's office and the planning department differed, making our task extremely difficult. No data, other than the number of

separate school voters by poll in 1982, were available for defining separate school trustee districts. We thus recommend that population data differentiating between separate and public school supporters be provided to regional clerks no later than six months prior to the September 1 deadline for establishing trustee districts.

In Halton, we have had extensive and regrettable experience with the last-minute establishment of trustee districts. Traditionally, the regional clerk has notified city council of changes in the number of trustees per community within our region two weeks before the September 1 deadline. As a result of late notification, no public input has been provided and an emphasis has been placed on combining wards rather than maintaining population equity when the number of trustee districts is reduced.

Our group raised the issue of boundaries for trustee districts when new wards were being designed in 1983. The public board of education had not acted on trustee districts by June 1985, and the separate school board mistakenly assumed that no change in the districts would be required. Separate school trustees were therefore called to an emergency meeting at the end of July, when many trustees were on vacation, to consider how the number of Burlington trustees would be reduced from eight to seven.

No preparatory staff work had been done and the data needed were not available. The separate board eventually did not make any recommendation to city council about how districts should be defined. Instead, the deputy city clerk recommended twinning two wards containing nearly 29 per cent of the city's population and five of the 11 separate schools within the city. The twinning was proposed without adequate data on the basis of the clerk's assumption that the two wards were more like one another than were other wards.

This example demonstrates clearly that decisions on trustee boundaries are arbitrary, in part because accurate data are not available to those making decisions and in part because the Education Act fails to specify the criteria to be used when establishing trustee districts.

Our third recommendation is that the Education Act be amended to establish the following criteria as a basis for defining districts: the difference in population size between the largest and smallest trustee district shall not exceed 10 per cent; districts shall reflect traditional neighbourhood structure and existing families of schools and every effort shall be made to ensure that within each district there is a similar number

of schools. To provide adequate accountability, single-member districts should be created.

The first two criteria closely resemble those employed by the Ontario Municipal Board when evaluating proposed city wards. The next two reflect the fact that the work of school trustees varies with the number of schools in a district as well as the numbers of students and taxpayers.

Where possible, districts should coincide with the organization of schools. In some jurisdictions, trustees run at large and in others, two-member districts have been created. Both alternatives reduce accountability to the voters and the traditional local base of representation in Ontario. Burlington councillors were reluctant to alter trustee districts proposed by school boards because the boards were deemed to have the expertise required for assessing the appropriateness of a given set of boundaries.

The criteria proposed would limit the discretion of school boards where trustees continue to have a conflict of interest and it may not be possible to expect city and town councils to enforce the legislatively established criteria. It is therefore essential that legislation require publicity for proposed district boundaries as is now required for city ward boundaries. An appeal to the OMB should also be considered.

We appreciate the opportunity to share our concerns with this committee and earnestly hope that in your consideration of Education Act amendments currently embodied in Bill 30, you will also be able to establish a more equitable and accountable system to represent the people of Ontario on school boards throughout the province.

Mr. Chairman: Thank you. I am not sure what the limitations will be on our power to effect some of the changes you are talking about because they would not fall neatly within Bill 30, but would have to be other amendments to the Education Act. But it is possible. The member for Burlington South (Mr. Jackson) raised concerns about this matter earlier in our proceedings.

Is the 10 per cent limitation on difference of one district to another within a board's district rather than in terms of the province?

4:30 p.m.

Mr. Baar: No, obviously, because the per capita population per school board varies a great deal. For example, the way we are set up in Burlington now, we have roughly 17,000 population per school trustee. So we are talking about a population spread of 15,300 to 18,700 within which to distribute trustee districts. You would

be going for something close to equality among the districts, but not as strict a numerical equality as has existed in some jurisdictions, to be able to allow some flexibility in the development of districts.

We are concerned about the sort of thing we faced on September 1, when the word was we were going to lose a school trustee. Five years ago, we found ourselves in a situation in which we had 30,000 voting for one school trustee and 15,000 voting for the other school trustees. That just did not seem fair. We realized the city found it had no choice, so we were anxious to try to point out the need for some kind of guidelines and direction, and some initiative by the province to meet its responsibilities for notice of enough time to allow more rational decisions to be made.

Mr. Chairman: It may be that we will have to deal with this, like some other matters members have indicated they are going to raise, when and if we ever get to votes on this legislation. Certain things may have to take place within committee as votes which do not proceed within the bill. The parliamentary assistant is part of our committee and these things get back through to the Minister of Education with the will of the committee being expressed. I will entertain those kinds of motions as we proceed.

Mr. Jackson: I would like to thank Mr. Baar for his usual cogent effort. To reinforce what the chairman said earlier, I have had occasion to apprise the committee of a series of problems through the efforts of your group. You have brought to light about a dozen problems relating to assessment and representation.

There are several issues this committee has discussed, such as the fact that we had an over-representation of separate school trustees. The total number of Catholic students was actually going to decline, yet we were increasing representation. It would appear that Burlington, within Halton, has seen just about every abrogation that could occur in this specialized area of assessment.

Having said that, I agree with the chairman that there are issues that may not fall within our mandate. However, there is a very significant one that has to do with the notion of moving from representation by assessment to representation by population. There is a whole history of presentations before this committee on those two fundamental points.

I have a couple of questions for you that have to do with the notion of shifting away from an assessment basis. One of the reasons we deal with straight assessment is that it provides the

minister, under the revised bill, with a means to shift all of Catholic separate school funding to the Catholic board. That is where the representation should follow the actual transfer of the taxes. That is the other shoe to drop in this scenario.

If we go to representation by population, we have the dilemma of separate school students attending public school. Given the notion that we go to representation by population, how do you envisage that you would suggest the public boards retain separate school trustees to represent those children? We no longer have the argument that the assessment is what is paramount here.

Mr. Baar: Are you talking about the situation in the transition to funding or are you talking about a situation in which separate school people would be incorporated in a public board?

Mr. Jackson: Let me share with you this point which might clarify it. The amendment to Bill 30, as it is written now, calls for the total transfer of all Catholic assessment to the Catholic board. The Catholic board would then buy the service from the public board for those separate school children who stay in the public system.

Because that happens, there is the notion that all representation therefore leaves the public board and goes to the separate board. For example, there is the trustee representation and so on.

Mr. Baar: Yes, right.

Mr. Jackson: That is a foundation principle of the bill. We have representation by assessment. Your trustee representation goes where your assessment goes. That is the foundation of this bill. Your suggestion asks this committee to change the fundamental basis on which we are dealing with the whole issue of representation. You are going a step further with equity. We are talking about how we represent.

Mr. Baar: Yes, how you are doing it.

Mr. Jackson: Do you see as a consequence, or would you support as a consequence of going with straight representation by population, the fact that if Catholic children do attend public schools, the public system would retain Catholic representation for trustees. Does that help you a little?

Mr. Baar: Okay, I understand the issue, but I do not understand all the various elements on different sides and what the other issues are in trying to think it through and respond on my feet now in front of you.

I would assume if representation were set up by population, those indicating a preference for being public school supporters would be includ-

ed as those in the population who would form the basis of public school trustee districts. Those indicating a preference for being separate school supporters, regardless of their religion or where their children go to school, would then be on the list and would be designated as the basis for representation for separate school taxpayers.

I would assume if a separate school taxpayer's child was going to a public school, then presumably whatever shift was taking place would be done between boards to reflect the imbalance of attendance between the children of public school supporters and the children of separate school supporters.

Mr. Jackson: Are you talking about money or are you talking about representation?

Mr. Baar: It seems to me that is a question of money and not representation. Presumably, if you have two voter rolls with public school supporters and separate school supporters and you know where they live, you would be able to create districts on the basis of population. You can have representation based on population.

In terms of assessment, presumably those who are supporters of each of the two categories will have their assessment designated to the board in which they participate.

The question of whether there is some sharing of facilities or services in some way would then require negotiation between the two boards, just as I gather there is negotiation today between boards of education and city recreation departments when a school gymnasium is used for a city recreation program. I would assume that would be something that would be negotiated between boards.

However, representation is based on the populations of those declaring themselves supporters of one or other board; therefore, presumably they desire to participate in the political affairs of one or another board. I hope that responds to the question, because it sounds like there are other issues involved here which go beyond what we are familiar with.

Mr. Chairman: I think there are. I think they cause very complex reverberations down through the system.

Mr. Baar: Part of what we want to do is bring the issue to your attention at this stage. Obviously, you need to have a bill passed in order to make the financial shift and then pass follow-up legislation in order to make sure there is no confusion.

Our main concern arose when we were told about all this and we looked to see what was in section 59. I also checked to find out when it had

been amended. We discovered it had been amended very recently when we went from two-year terms to three-year terms for municipal and school boards. I realized that had been done in 1982, the very recent past, yet all that had been done was to change the frequency with which assessments had to be made.

I guess it was really shocking to me that as late as 1981, which is within the last few years, people sat there, considered a piece of legislation and amended sections of an act which gave people more votes if their property was worth more. They did not do anything to change that.

It struck me that it was really important to bring this home again, when statements are made by the party now in power that this is a time to bring us up to date and to consider a variety of things that are necessary, a kind of unfinished agenda.

4:40 p.m.

I look at this and, regardless of any partisan background of any members of our group, it is something we thought had ended in England in 1832 and was not the sort of thing that still continued as a basis for the way people are represented in governments at this point in Ontario.

Part of it is that we wanted to reinforce it again. I am glad it has come forward to your committee. If this gives you one more reminder that, in order to keep these people from coming back next year, you will have to tell them finally to take the steps necessary to alter this in whatever rational and deliberate way is possible, we would feel if we helped in this it was very important.

Mr. Chairman: There are people here from the ministry who will take this word back to the minister. As I said, members of the committee will be free to make motions outside the bill itself, even though we cannot incorporate those in the bill as we go along. There is another means. Of course, you have direct access to the minister on this issue and you can request action from the ministry separate from what we are doing. You should take advantage of that, if you have not already, and I presume you probably have.

Mr. Jackson: I have a final statement. It is clear there is some hope for this whole issue, especially in Halton, where our regional municipality boundaries are identical to our school board boundaries.

Once the Catholic representation issue is lifted from the bill with respect to a complex formula in exchange, we will be able to look more directly at

representation by population. We would have parallel ward structures in all our communities.

The potential for that in Halton is very good once the Catholic trustee representation is removed. If we can step forward to the future and have a look at that, I think we will see the matter resolve itself.

There are many jurisdictions in the province in which the regional municipality does not always mirror the separate or public school board boundaries. That is where we will have difficulty. However, in Halton, I foresee the situation resolving itself provided we do not have cross-panel trustee representation. If that component does not enter into it, I feel Halton's problem will be resolved. However, your points will put the committee in good stead when we review that area of the bill.

Mr. Chairman: Thank you very much for taking the time to come see us.

Mr. Baar: Thank you very much and best wishes in the rest of your work.

Mr. Chairman: The next deputation is Dr. More of Martintown. Would you like to come forward, sir? I believe you tried to get to us when we were on our eastern swing. I regret we were so taken up we did not get a chance to see you then. I am glad you could make the trip to Toronto to give us your views.

DR. ROBERT MORE

Dr. More: I certainly wish to thank you for the opportunity to discuss this matter of full funding, although I question the wisdom of the decision.

In 1631 in England, there lived a liveryman whose name became famous because of his practice of requiring every customer to take the horse nearest the door. Since then, no choice has become known as Hobson's choice.

Since the decision to proceed with full funding of the Roman Catholic separate school system was announced, under the terms of reference of this committee, no one has had the right to speak in these hearings other than to address the means of implementation. Therefore, my presentation will deal with the impossible problem of maintaining the high quality of education for which we have been working in this province for many years.

However, my discussion of ways to soften what is a severe blow to the education system is not to be interpreted to mean I agree with the principle of full funding. I mean to make this clear because the Minister of Education said, after one of these hearings, he was surprised by the small amount of opposition to Bill 30.

The former Premier, Mr. Davis, said much the same thing in his statement to the effect that the divided opinions of the past of men and women of courage and conviction no longer exist.

To use an analogy, the main reason for the lack of opposition at these hearings is they are not being held to decide whether to bury the corpse, but to discuss what style of shovel to use.

The three political parties of this province have co-operated with one another to silence legitimate and meaningful political dissent by the use of a *fait accompli*. The apparent lack of opposition may be due to the fact that Canadians and the people of Ontario are not revolutionaries. I am reminded of John Kenneth Galbraith who said some while ago that revolutions in the modern state are not possible without control of the army.

The Minister of Education and Mr. Davis are operating in a political fantasy. About 70 per cent of the people of Ontario are strongly opposed to Bill 30. They are outraged at the manner in which this rather simple minded piece of legislation has been presented.

In the press, in some of these hearings and elsewhere much has been said about the plight of teachers, the problem of the taxpayer and the problem of busing children to school, but in many of these submissions very little has been said about what will happen to the quality of education. Surely this is the end point against which we must judge the success or failure of this question of full funding.

Because of my career in teaching medicine at Queen's and McGill, I decided to look into the question of the quality of education as it would be affected by full funding. I wanted to do so in a specific place with specific terms. The question to be answered was: What about the quality of education at the Cornwall Collegiate and Vocational School, a large school with 910 pupils, 58 per cent of whom are of Catholic parents.

If we believe politicians make decisions knowing what is going to happen, we have to assume that 58 per cent of these students will transfer in the long run if there is full funding. If we do not accept this, we have to believe that politicians make decisions without knowing what is going to happen.

It is true that there have been many reports since school started this fall that the rate of transfer has been very low. It would be erroneous, however, to use this information as evidence that there will continue to be a slow rate of transfer or that in the long run the total number of those seeking enrolment in the separate school

will be 111,000, as suggested by the implementation committee.

If we accept this figure, it is rather difficult to believe that the politicians believed this at the time they put forward the legislation. So my analysis at Cornwall Collegiate and Vocational School will be based on the assumption that 58 per cent of the students will transfer in reasonable time.

We can do one or two things when this happens. Let us consider the first instance when the students just separate; they stay in the same school and we find some method of creating two schools in that same school.

What would happen to Grade 12 English? In the advanced course there are 88 students divided into three classes of approximately 25 to 30 students. In the general course there are 85 students, divided again into classes of about 30 students. In the basic course there are 22 students.

If we look at the public school system first, after a transfer, we find that there will be only 37 students in the advanced course, 36 students in the general course and nine in the basic course.

Nine students, under present conditions of financing and so on, is not considered large enough for a class. They could be moved up to the general course in grade 12 or put back to the general course in grade 11. When you do that, if you move them forward, you have 45 students. It is too large a class. If you move 15 of that general course up to the advanced course, you leave 30 students with the general course, which is perfect, and you end up with two reasonably sized classes in the advanced course.

4:50 p.m.

What will this do? We have two advanced and one general course. We had three, three and one before. What will happen? I talked at some length with people who are involved in what one tries to do with students at this stage of their education. It seems clear that when you have two classes in a school this size instead of three, you begin to limit the choice of other mandatory subjects in the main fields of science, mathematics, history and geography and so on—the academic subjects that are mandatory. It puts a considerable restriction over what they had before.

In addition to that, in this class you now have general students. These students require more careful attention per student than the advanced students. This will deprive the advanced students of what the course was set up for. If that does not happen, then the general students suffer.

When there is one class in the general course, this creates what the students and the teachers and the administrators refer to as a singleton. With the interest in trying to give students a flexibility in picking the teachers, subjects, and courses they want, this creates problems that, for the last decade or so, we have put a great deal of effort into trying to avoid, by ensuring that our curriculum meets the needs of the average student.

If we look at the basic courses, there are students who may be leaving school shortly, and they may or may not learn to communicate as well as they will need to wherever they go. So looking at this course in English, it would seem that one has created many difficulties and removed a good deal of the quality of the education these students can follow.

If we look at the other side of the school, the separate school, we see there are 49 students in the general course, 57 in the advanced and 13 in the basic course. I think all I need to say here is that by our present standards, this would end up as two advanced courses, two general courses, and no basic course. This again would create problems similar to those I have already mentioned. In other words, under these conditions, all the students, Catholic and non-Catholic, would lose some of the quality of education that has been part of their heritage up to this point.

There is a further question that I think is important. Currently, in that English course alone, there are seven courses, and there are a certain number of teachers with their aptitudes, their personalities, their interests. This is immediately halved if we take the view that we can split these teachers in half at this point and send half to the separate school in that system and half to the public school.

Each of the Catholic and non-Catholic students now have exactly half of the aptitudes of those teachers available to them. Personally I think since teachers are important, this certainly limits the kind of contact that can fit with their particular interests and personalities.

It is true that this could all be corrected right on the spot. If you double the number of teachers, you could keep the same number of classes and you halve the size of the classes. It would be interesting to have somebody estimate the cost of this.

But there is another alternative in Cornwall. We have four high schools. To my mind, it would be quite simple to decide that the Catholic students at school A would go to Catholic school B and the public school students of school B

would go to school A. We would still have the same number of students in each course. We would still have the same number of teachers. It would not cost any more money. We could maintain exactly the same situation. At least I happen to feel that way.

If this is one of the possibilities—and I see it as one of the possibilities—I find it very difficult as a private citizen not to have heard the local school board telling parents or the city alderman or the township or the county that this is really the way it would be done when the situation is reached, whether this would seem to be the most reasonable approach. We have not heard anybody mention this possibility. I think children can be transferred very easily nowadays. Maybe I should get into the government. I think I could answer some of these questions.

If we can solve the problem in Cornwall without any problem except the noise that parents, teachers and a few other people would make, what about a small school in the same area? We have heard something about small schools today. I live very close to the Charlottenburgh and Lancaster District High School. It has 340 students, roughly half and half, Catholic and non-Catholic. What would happen there?

It is clear that we would have about 170 students in each school. There are some schools with not many more than this. All I want to say is that I do not believe you can really make a modern high school, with present funding and our approach to education, with 170 students. However, this is what we would have in that area if we just divided that school and the classrooms. If it were possible, if you could double the number of teachers again, you would have a perfect school—two perfect schools. Nobody would be unhappy except the taxpayers, and probably most politicians would not be prepared to look for that much money.

In this area I believe there could still be a solution because, at the most, students would be transported 25 miles, probably 15, and some are being transported 15 miles now. Given the modern facilities, one could bus all these children into Cornwall and close the school. One could leave half of them there and send the other half somewhere else. Of course, only half the tax base would be there, and I can see in my own mind, although I have not been able to work this out completely, that this would be difficult. I do not believe that anyone in this room would like to propose that we leave half the students there and try to raise the taxes to keep the school open.

Again, I think it is possible to send these students to Cornwall. This is one of the real possibilities. I do not know why the school board in that area has not been telling us this is what is going to happen. Be it so, in Cornwall and in this area you could still work out the problems.

What about the other 20 per cent of the schools in Ontario that are called single high schools with up to 500 students, usually not more but somewhat less? If they are divided by two, although the population is not the same everywhere, in some you end up with something less than 250 students and in some a few more.

In many of these areas there is no such thing as trying to send the students somewhere else. Either you refuse as a school board and say it just cannot be done, or you make it clear that if it is done in the local area, there will be a lot of additional expenses for buildings and for teachers to keep the same quality of education. There are 89 schools in Ontario with fewer than 300 students. Again, this is just the extreme of the small single school.

In all these situations money probably could get over some of the difficulties. My estimate is that it would require a lot more than anybody has talked about. One really wonders whether the governments and the professionals in the past have been wrong in building what we now call consolidated schools that went up to these figures of 500 and 300 if with one stroke we are going to create a situation in which we are almost dividing them.

5 p.m.

The other thing that interests me is that grade 11 is a critical stage. It seems true to me that grades 9 and 10 were often called continuation school long ago. Almost at the turn of the century there were some schools that went to grades 9 and 10 and were called continuation schools. That makes sense. You get some new subjects in grades 9 and 10, but then you get to grade 11 and you begin to think about exactly which way you will go.

Students are beginning to acquire personalities that look very much to the future, with at least the beginnings of an adult approach: "What can I learn to be useful? What can I learn to get what I want? Where am I going?" In the modern curriculum there have obviously been some great strides in Ontario in attempting to produce courses that will really give students what is needed, regardless of what direction they are going and what their particular aptitudes are. Therefore, the extension of funding to grade 11 is

a different question than when school funding was pushed to grade 10.

I would like to comment briefly on special education. Back in the 1950s and 1960s we were beginning to recognize for the first time on this continent that some students were having difficulty, and yet every test you could use showed that they should not be having difficulty. I suppose for a time we thought maybe this was just a personality problem, but it was realized that there were some things we did not know.

A lot of names were put on these students, but for a while during the 1950s and 1960s a great deal was learned about this. A great number of students were sent away to expensive schools, and the end results were quite dramatic. Students who were not going to get out of public school reached the point in a few years where they went on to finish high school. There have been a few reports in the paper of one or two of these students who have gone on to be quite successful in many fields.

On the other side there was the question of gifted children, and we began to deal with that in the 1950s and 1960s. The method of dealing with it was usually isolation. In the case of children with learning problems, they usually had to leave their local area, if it could be afforded, and be sent away. In the case of gifted children, we isolated them into different classes.

Ontario, on the basis of all this experience, has done remarkably well to realize from all this information that both groups of students can benefit a great deal from the proper approach. Now we see that we are going to try to bring back this form of teaching for students of all kinds, either those with difficulties or those who are gifted, if we want to divide them into those two broad groups. We are going to see them brought back more and more into the mainstream of education. This fall I am aware that full funding—I guess that is what you would call it—of certain aspects of this is coming about.

I was interested in one article in Maclean's on September 23, which discussed this problem of integration. It pointed out that it was great that the province had finally decided to catch up with Bill 82, passed in 1980, which said in one part that this special education should be based on the fact that "all children have available to them a free and appropriate education that for exceptional children emphasizes special programs and services that meet their unique needs." So this fall seems to be the beginning, and Maclean's was commenting on the fact that, in addition to getting money, we see the wisdom of trying

somehow to bring almost all of them back into the local community.

But as I looked at that, I realised special education has not by any means reached the point that was in the department's recommendations back in 1980. It has not begun to reach it, and here we are ready to spend some money on something that, as far as I can tell, is not going to improve this sort of thing at all. It will make it more difficult, if anything. So I find it difficult for the government to have passed something in 1980 that it has not caught up with yet, and now it is ready to move on to something else that may make it even more difficult.

Another point that has not been written about is that the quality of teachers would, I think, decline. At the moment, anyone in Ontario who foresees a career in education as something he wants to pursue, can do so knowing that, as far as the secondary schools are concerned, they are all in competition with each another for the total bundle in Ontario.

If we divide this up, from that day on, Catholic students still have the whole system open to them. The Catholic system is certainly open to them; the rest of it is open to them. But no matter what is said, it is my opinion that the non-Catholic would have to look at the fact that the only system open to him is this 65 per cent, if we use the figure of 35 to 65 for Ontario. So I think here we would actually limit the quality of the people who are seeking a career in education. This is looking way down the line. I cannot see how it can do anything but to some extent decrease the quality of the teachers we have in our schools.

In view of all these problems and of a certainty that for some time to come the high school students of Ontario will have an impoverished education if full funding continues in its present form in the legislation, it seems obvious that the desire for full funding did not come from the parents of Catholic or non-Catholic children or from professional educators. It can only have come from the desire of the Roman Catholic hierarchy or from a desire of our political parties to achieve some political advantage.

As they manoeuvre over the important issues of full funding, let us hope they do not forget what is at stake: the survival of a quality education system in Ontario of which we are all reasonably proud and which has been available to Catholic and non-Catholic students. As the government proceeds with further implementation of full funding, let us hope and pray that each of the problems discussed here is fully under-

stood and solved in advance of the legislation of full funding. Thank you.

Mr. Chairman: Thank you for a very thoughtful presentation covering a lot of detail and also covering large philosophic questions.

First, I cannot understand either the minister or the past Premier thinking that there has not been a lot of opposition or the impression that this committee has not received an awful lot of opposition to the principle of the bill. We have, I assure you, and I have had it televised around this part of southern Ontario through cable TV so that people know there has been that kind of opposition to the principle. As a result, the notion that it was done for political expediency, when the vast majority of people in this province are not Catholic, always surprises me as an analysis.

Concerning some of the solutions you talk about in the particular school in Cornwall where you were looking at the extreme scenario of the full 100 per cent Catholic changeover, I do not see anybody really projecting that. They are talking about a maximum of 90 per cent or so, because many parents would choose to keep their children in a public system rather than put them into a Catholic system for their entire education to the end of the grade 13 period.

Those options are available within the bill, and they are the kinds of options that we as a committee would really like to see taken. Your frustration with local boards not talking about these kinds of solutions is one that we have experienced as well. We have seen a real difference of attitude in different parts of the province concerning how solutions can be obtained and how the sharing of facilities and of the various resources that are there can be increased.

We have seen a recognition, especially in the single-school communities, that those single schools have got to be maintained and cannot be lost, and a real recognition of the practical effects of this by local ratepayers and mostly by their local politicians. So we have some real hope that this will be looked at seriously by local people.

We are also trying to find ways that this act, as it evolves, will push boards to look into those kinds of solutions instead of the anachronistic kind of divisions you have put forward as a realistic worst-case scenario.

Mr. Guindon: I do not necessarily have a question, but I want to thank you, Dr. More, for coming all the way from Martintown. I am sorry I was not here at the beginning of your presentation; I was called out. I am certainly going to take the time to read it over, especially all your

comments about Cornwall Collegiate and Vocational School and the schools around Charlottetown and Lancaster District High School. I know there is a problem there; there is concern. This committee is doing everything possible to ensure that the concerns are settled well, so that everybody will get the same education.

Dr. More: I hoped to meet you before I came down, but we will get a chance to meet when I go back.

Mr. Guindon: Very good.

Mr. Chairman: Perhaps even after the meeting adjourns. We have only one other piece of business after you complete your testimony. If there are no other questions from committee members, thank you for a very articulate and nicely thought out presentation to us.

Dr. More: I will take one further opportunity. On Thursday, *Counterpoint* Newsmagazine—Mr. Guindon will know it from our local area—had what I think was the first really extensive article I have seen in our local papers about the matter of school funding. This is a paper that I suppose has to depend on the goodwill of the area. We are, as I said, about 50 per cent Catholic. I have put a copy in an envelope for each of your members.

Mr. Chairman: I appreciate that. The clerk will get it.

Dr. More: I do not expect you will be able to read all the little papers around the province.

Mr. Chairman: Thank you very much, Dr. More, both for the presentation and for your additional assistance.

Committee members, I have one other item of business that I would like to deal with before we adjourn. You have before you a request for supplementary estimates for the committee, on which I will need a motion from the committee before we take it back to the Board of Internal Economy.

You may recall that we approved a budget earlier on. The clerk has put together for you here the extra costs above what we had anticipated. As you can see, it is a total of \$52,000 more than we had thought.

To break that down just so you understand where it all went, you may recall that we had initially planned 12 weeks of hearings, sitting four days a week. When we added an additional

four days, the per diems and meal allowances, etc., obviously added extra costs to this.

We had planned three weeks of travel, but we went to seven communities and travelled for five weeks. That, of course, added extra costs. We had left it wide open, as you know, at the beginning to go where people wanted us to go, so that is why this occurred.

The additional transcribing services while we were travelling were \$4,000 per day. The real problem there, besides the costs for the second official language, French, was the fact that we had so many more witnesses than they were expecting and their estimates were very low on what the actual costs would be. They learned that very quickly in our Windsor testimony, when in one day, because of the long hours the committee was sitting, they had to transcribe more than they had expected to do in the entire time they were there. So those transcription services were also much higher.

Because we are up to 830 briefs, the photocopying costs were in excess of what we would have liked. As you know, we always try to make them available to both the people from the various federations who are here and the press, when they are around, as well as ourselves, so we destroyed at least a forest or two more than we had expected in advance. But never mind; there is going to be an audit on the forests and we will know which trees went to this committee.

Because of the extra sittings, we also had extra costs for coffee and catering to the committee. The limousine that was given to the chairman because of his fragile health was not included in here at all, Mr. Guindon, as you see, but we do have extra money for ground transportation because of the extra travelling we did. That is what shows up here.

What I need, if I can have it from you, is a motion to explain this to the House leaders.

Mr. Davis: Let us not give him a motion.

Mr. Chairman: He will be recalcitrant now. Try to be co-operative. We may need more in January and February. Who knows?

Mr. Offer moved that the 1985-86 supplementary budget be approved and that the chairman be authorized to present this supplementary budget to the Board of Internal Economy.

Motion agreed to.

The committee adjourned at 5:15 p.m.

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Tuesday, October 22, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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Vice-Chairman: Allen, R. (Hamilton West NDP)

Bernier, L. (Kenora L)

Cooke, D. S. (Windsor-Riverside NDP)

Davis, W. C. (Scarborough Centre PC)

Epp, H. A. (Waterloo North L)

Guindon, L. B. (Cornwall PC)

Miller, G. I. (Haldimand-Norfolk L)

Offer, S. (Mississauga North L)

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Smith, D. W. (Lambton L)

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Tuesday, October 22, 1985

The committee met at 3:38 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the meeting to order. We have before us again today the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario. It stumbles off our lips so frequently in these hearings. I am pleased to have you back.

There is a point of order we have to entertain prior to moving on to your submission.

Mr. D. S. Cooke: It almost brings me to tears, but I must indicate that since I have assumed the duties of whip of our caucus, I will no longer be serving on this committee, at least in the capacity of vice-chairman at this point. I hope to come back when we do the clause-by-clause consideration some time in the 1980s.

I am not sure whether the formal procedure you use requires that I actually have to resign. If I do not have to, I would like to nominate the member for Hamilton West (Mr. Allen) to be vice-chairman of the committee.

Mr. Chairman: Thank you. Any discussion? All those in favour will please indicate. Contrary? Carried.

Mr. Allen, you have the esteemed honour of now being the vice-chairman of the committee.

Mr. Allen: I will attempt to bear that with the utmost dignity.

Mr. Chairman: Did you want to give us a eulogy or anything for Mr. Cooke to entertain first?

Mr. Allen: I do not want to add anything to that, but I do have a question, if I might ask it.

Mr. Chairman: Certainly.

Mr. Allen: I have forgotten at which meeting it was, but we asked the ministry to provide us at the end of September, when the figures were all in, with an accounting of the exact numbers of students who had transferred from the public system to the separate system, as well as the number of teachers who had been likewise displaced and hired by the separate system.

Mr. Chairman: That is a good point. It is true we had indicated it. I cannot remember how vigorously we actually followed up or whether it was actually on that list we had.

The Minister of Education (Mr. Conway) has joined us today. I thank him very much for being able to find the time away from the people of Scarborough West he was going to meet with in order to join us.

Hon. Mr. Conway: I am very pleased to be here. The other day, in responding to your question in the House, I did not want to suggest that I had anything but the greatest desire to come and be with you today. I just added that little caution because sometimes my busy agenda prevents me from doing what should be done.

I want to ask Ron Graham from the ministry to respond to Mr. Allen's point.

Dr. Graham: We are following up, but it will probably be mid-November before we have all the forms in and processed. It is under way, but we are still in the final collection stages from the individual boards.

Mr. Chairman: Is this being done manually?

Dr. Graham: We collect from the individual boards at the regional level and then basket all of them provincially.

Mr. Allen: I would also like to send up to the minister a copy of a written question I have tabled today for further details with respect to the question I asked yesterday.

I think we are still not fully advised of all the criteria that have been used in determining on the one hand the ongoing costs attached to transferring students under Bill 30 and its anticipated provisions, and on the other hand the criteria used for the calculation of grants for declining enrolment. If we could have some detail on that it would help us clarify that somewhat murky issue.

Hon. Mr. Conway: I would be very happy to do that, and perhaps I can arrange to have one of the people from the school business and finance department come here.

Essentially, the grants are different because the situations are different. In the one case the declining enrolment grant recognizes that school boards will have both instructional and non-instructional costs to absorb. In fact, the declin-

ing enrolment grant is over a two-year period, with a diminished amount available in the second year as compared to the first.

In the case of the buffer grant for separate school extension, there is a recognition that the instructional cost will move across from the public school to the separate school under clearly worked-out arrangements as between the boards, with the assistance of the planning and implementation commission.

What boards of education will be left with are noninstructional costs, which we are compensating them for by virtue of this special buffer grant at 22 per cent of the grant ceiling or a minimum of \$720. That will increase depending on the board's rate of grant, and in the case of the small schools that are affected, there is the additional small-school weighting factor.

It is important to keep in mind that the situations are different and therefore the grants are different. In the one case the instructional cost is being recognized because it is clearly left with the board of education. In the second case—that is, the separate school extension—the instructional cost, which is the large cost, moves across under carefully worked-out arrangements as between the boards.

If you like, I can supply someone from the school business and finance unit to speak to the issue at greater length. Obviously, we are going to look very carefully at the experience. I mean what I say when I have indicated that we do not intend to disadvantage boards of education. We want to accommodate them and to compensate them for costs they cannot transfer.

Mr. Allen: I do not intend to debate the issue right now, but there are some puzzling elements.

Mr. Chairman: I would like some clarification since you are raising this in committee. There are two formats available to you. The one is the written question which you place in the House and which the minister is obligated to respond to within a certain time. The other is the procedure we have used here in the committee of requesting information from the ministry which is then afforded us.

Guided by you and by committee members as to which you prefer, Mr. Allen, I am sure the minister will be glad to oblige under either format.

Hon. Mr. Conway: Why do I not supply a written answer to the honourable member's request and then, depending on his response to that, we can take further action?

Mr. Allen: That is fine. I will share that with my friend the member for Scarborough Centre

(Mr. Davis), for I know he has an interest in it as well.

Mr. Chairman: That should be useful. You might also share it with the parliamentary assistant; he always finds it useful as well.

As I said at the outset, we have the planning and implementation commission back with us again. Mr. Newnham, we welcome you and your colleagues back. We know you have been busy, as we have. We wanted to talk to you about a number of things that have come up over the summer hearings, but specifically we wanted to have a look at how the guidelines for the second year were developed, where they were going and whether they are in tune with the way the committee feels we might be going or the kind of evidence we have been receiving from participants.

We received from you the two memoranda, one dated September 16 and one dated September 25, plus the impact statement forms. All members have had these. If anyone needs extra copies, Mr. Newnham tells me he has brought some with him.

Although I have been through the guidelines several times myself, it might be a useful exercise if we went through them in a fairly cursory fashion. Members might stop as we get to certain points; if they have questions, they can catch my eye and we can deal with that item as we get to it.

COMMISSION FOR PLANNING AND IMPLEMENTING CHANGE IN THE GOVERNANCE AND ADMINISTRATION OF SECONDARY EDUCATION IN ONTARIO

Mr. Newnham: On my left is Ed Nelligan, vice-chairman of the commission; on my right is Robert Thomas, who is the executive director, and on his right is Robert Saunders, the education officer.

We are very happy to have this additional opportunity to meet with you to inform you of the progress we have made with the approval process for the 1986-87 school year. Each of you has received a copy of the memorandum that was issued on September 16, entitled Criteria for the Assessment of Plans for Secondary School Programs. You have received copies of the memorandum that Mr. Thomas sent, headed Plan for Secondary School Programs for Roman Catholic Separate School Boards and Impact Statements for Boards of Education, plus blank copies of the plan and the impact statement forms. Each of those documents had a predeces-

sor which was used in arriving at our recommendations for extension, which took place beginning September 1, 1985.

It is our feeling that these documents and the correspondence clarifying and revising the plans served us well, because they stimulated discussion, consultation and co-operative decision-making at the local level, which in some cases was extremely warming. They provided the commission, and in turn the minister, with a lot of important data for present and future use and they constitute a permanent written commitment on the part of separate school boards in Ontario to honour the policy criteria of the commission. They have provided us with the wherewithal not only to make the additional recommendations to the minister but also to monitor the process in years to come.

Nevertheless, after a good deal of discussion, the commission has revised each of these four documents for the 1986-87 extension. The documents you have before you, in my opinion, are clearer, they ask for more detailed and comprehensive data, and they require a written commitment again by separate school boards to more stringent policy criteria. In short, they reflect the progress and the experience we have enjoyed over the past year.

At the outset, I must advise you that in the absence of the proclamation of Bill 30, the commission has confirmed or amended its policy criteria, some of which may not be congruent with those found in the second reading of Bill 30. We have done this with a view to maintaining an element of consistency in the planning and approval process—what else could we do?—and with the full knowledge that changes will very likely have to be made in the future. I do not need to assure you that the commission is committed to requiring full compliance by school boards in Ontario with the terms of Bill 30, once Bill 30 is proclaimed, but this lets the process continue into the second year.

3:50 p.m.

As you have suggested, Mr. Chairman, I shall move quickly through these, beginning with the memorandum headed Criteria for the Assessment of Plans for Secondary School Programs. The memorandum was issued and there have been two or three calls for clarification of it, which was to be expected.

Originally the date stated for the return of the separate board plans was May 30. We felt it might be wiser to move that ahead six months; thus the date that appears here is November 29. The issuing of the memorandum helps the boards

in ordering and listing their decisions on paper and in the impact statement. The planning has been going on in these boards in many cases since shortly after June 12, 1984.

The first paragraph indicates that the commission is going to be very concerned with the establishment of new and viable secondary schools and the continued viability of public secondary schools, particularly in smaller communities and essentially in one-school communities. Availability of accommodation is an important factor.

We point out, as we said in our memorandum a year ago, the fact that the plan was approved for one year does not necessarily mean it will have an automatic renewal. Each plan will be studied because the circumstances change. The importance of the impact statements in assessing these issues suggests that the two boards should meet to discuss their planning information as soon as possible and, by implication, as often as possible.

We mention that pending the proclamation of Bill 30, the commission's policies for approval will continue to apply. As soon as Bill 30 is proclaimed, then Bill 30 is the law. The criteria for approval on the bottom of page 1 are not in the same order as they were last year, although there is a parallelness to the form of the memorandum. This indicates that we are now facing another year; the emphases are not quite the same. That is not to say the items that were stressed last year are not still important, just that there is a different order of priority. This year they emphasize the importance of programs, accommodation and the problems of single-secondary-school communities.

On page 2, the section entitled "Breadth of Program" emphasizes the encouragement of separate boards to mount their programs. They are encouraged to enter into sharing agreements with the boards of education to a great extent. They are to indicate that all pupils for whom the board is responsible are to be provided with appropriate programs. When I appeared before you last, I spoke at some length on that. I expect it will come up in the questioning; so I will continue to go through it quickly, leaving the discussion for later.

Mr. Chairman: Members of the committee, would you like to have the full run-through and then go back to questions, or do you want me to stop at each one of these? Do you want to run right through, Mr. Davis?

Mr. Davis: It would preferable if we ran right through and then we can come back. We may not

get off one section and we will be here until the cows come home.

Mr. Chairman: It would not surprise me in the least. It would not be out of context with the way we have operated either. Mr. Allen, is that acceptable?

Mr. Allen: Fine.

Mr. Newnham: I will proceed quickly then.

Item 2, "Accommodation and Facilities," emphasizes the fact that appropriate accommodation has to be available for approval to result. Again, it emphasizes the fact that capital funds are not abundant. Arrangements for sharing or a lease of accommodation are expected if space is available in board-of-education schools. Plans for accommodation should indicate long-term availability for the use of privately owned facilities that are now in use as well.

Item 3 deals with single-school communities. It is expected that unless the public secondary school is able to absorb the impact without serious effect on its programs, the two boards will work out a co-operative arrangement for the school to maintain program viability. With 170-odd communities in Ontario in that category, this is quite an important factor.

Item 4, staffing policy, is dealt with here in four and a half lines because there is an entire appendix devoted to it. This appendix is available for discussion.

Item 5, pupil admission policy, is the same. Separate boards are expected to have a positive policy towards the admission of non-Catholic students.

Item 6 has a section on consultation and co-operation. Last year we felt a significantly good start was made across the province. This year we hope it will be built upon and extended. There should be evidence that the coterminous or coextensive boards are informed about the evolving plans.

It should be evident too that every attempt has been made to inform and assist each other and, we hope, to reach solutions together. Where a board operates a small secondary school, it is expected that arrangements will have been made to ensure access to courses not available in the school but offered in the neighbouring secondary school of the coterminous or coextensive board or elsewhere.

Boards will make provision to ensure that information about the schools and the programs are known. This is going to take a year or two, I expect, before it is done as a matter of fact. We hope that the guidance people from each system

will have access to the other systems so students may benefit from that.

Item 7 emphasizes data accuracy and completeness. Experience has taught us to do that.

On page 5, under "Procedures," once the Roman Catholic separate board plan has been studied by the commission, the commission will make its recommendations to the minister regarding the acceptance of the plan. The separate board and its coterminous board or boards will be notified of the minister's decision.

Funding for 1985-86 does not imply automatic financing for 1986-87. Plans may be approved in whole or in part and may also be subject to conditions or limitations in the recommendation for the 1986-87 year, which makes a reference to the fact that in some places there may well be partial approval of the plans.

The memorandum reflects our experience over the past year when several board plans were not complete. The data on occasion left something to be desired. We think the time lost in sending back the plans for reconsideration and return will be cut down drastically this year. We hope the memorandum results in a greater clarification of the process.

Would you like me to continue with the impact, at least with the board plan forms, or would you like to stop at that point?

Mr. Chairman: It seems to me there is a fair amount of meat in this first one. Why do we not deal with the first memo?

I want to be clear about the process here. The commission revised its plans in this way and sent them out. Do they go to the minister for approval, or is the minister just advised of what has taken place? How does that part work?

4 p.m.

Mr. Newnham: They did not go to the minister for approval, but there was a courtesy meeting with him. We discussed it in the commission and we felt that, were we the minister, this is the process we would like to have followed, so we asked Mr. Conway if we could meet with him for that purpose.

Mr. Chairman: So there was just an information-sharing meeting prior to this being sent out to the various boards. Are there any questions from committee members on this document?

Mr. Davis: I understood Mr. Newnham to say that the minister did not approve all the directives or the new initiatives that we see in this second set of guidelines. Which ones did he not approve? Did he comment on them?

Mr. Newnham: In the course of our meeting, there was quite a free-ranging discussion on the memorandum, on the year past and on the year ahead. I cannot remember the particular ones on which there may have been a comment, because we were around the table and there was quite a bit of discussion.

Mr. Chairman: I find it a bit strange that you are dealing with this in the third person. Would you like to ask the minister?

Mr. Davis: I do not want to put the minister on the spot, but the questions on which I would like him to address the committee are: Does he hold with the new thrusts that are in here? Are they his directions? Not that he said they were his, but he follows those directions. Specifically, which ones disturb him?

Hon. Mr. Conway: I appreciate the opportunity, because I remember some of the conversation. I have made it my business to have reasonably regular consultations with the commission, because I believe it has important work to do and it has done that work well.

I remember looking at these criteria and saying how delighted I was that the criteria reflected, to a very large degree, a number of the specific concerns of the member for Scarborough Centre (Mr. Davis). I thought he would look at the criteria and say, "Single-school communities, absolutely; viability of the public school system; concern that nothing be done by virtue of extension that has a negative impact on the public school." I was delighted with that kind of emphasis.

I had the distinct impression that the commission was listening to this committee and the thousands of people who came before it over the course of the summer. I was not surprised, because I remember well Mr. Newnham's testimony here on July 17 when he stated quite clearly what the commission's intentions were going to be for second-year extensions.

I want to tell the member for Scarborough Centre we had a good discussion. I have made no secret of my concerns. You recall our visit to Thunder Bay when I thought I made it as clear as I could that, for example, sharing and co-operative relationships were going to be very important in communities like Kenora and elsewhere.

I want to help the member for Scarborough Centre to appreciate my response. It was one of very considerable delight and support, because I felt that the criteria developed by this commission reflected much of what this committee had been hearing and suggesting.

Mr. Jackson: If I heard the minister correctly, he was careful to state that certain components of the report found their basis in the attendance of the commissioners at our hearings and in the minister's comments. However, that begs the question of statements in the new criteria that vary from the old, such as where clearly we are getting a statement that a lack of capital funds will restrict the availability of portables.

That sounds like government policy to me. "We do not think you have enough money in the provincial coffers for portables," does not sound like something that the general public came before the commission or came before this committee and said.

Is that something on which you, as minister, have given some direction to the planning and implementation commission? Did the Treasurer (Mr. Nixon) give that kind of direction to the commission? It seems to me this is drawing some conclusions about capital funding and forced sharing, and I wonder if that was indeed what we were hearing.

Mr. Chairman: Probably Mr. Newnham would like to respond and then, if the minister would like to add anything, he could.

Mr. Newnham: Without question, that is a good question. We have taken our direction in this from the statement made by the former Premier in the House on June 12. There is no attempt to establish policy. That is not the role of the commission. The commission exists to advise the minister. In his statement in the House, the Premier made it clear that sharing was expected and that there was no money for capital facilities. In the printed record of his speech, there are about three inches on that which I probably could quote.

I would like to assure the committee too that the synopses of the hearings have been studied. I do not think there is one of the hearings that we have not gone over.

Mr. Chairman: Our research staff will be very pleased to know that somebody is reading its work.

Mr. Newnham: As a further comment on Mr. Davis's question, I cannot comment on which items in particular the minister spoke about because we talked about the whole memorandum. However, in appendix A there are two items that are new and that were talked about, including the third one from the bottom: "Where there is an impact from extension in the elementary panel of a board of education, it is expected that a satisfactory arrangement on

dealing with any impact is to be arrived at between the boards."

This is something we have been talking about in the commission. It came up in our hearings with the federations. It was mentioned again in your hearings. I cannot say the name of the committee member who talked about it, but I remember reading it. So that is included here.

The other one is: "The board should provide in its staffing for 1986-87 for a 'slip-year' adjustment, that is, for adjustments to the number of personnel to be transferred from the board of education based on the actual shift of enrolment and personnel shown in the September 1985 data."

Credit for this one should go to Dr. Ed McKeown, the director of education for Toronto Board of Education, who made it quite a strong point in our meeting with the Metro people last year. It was agreed to by Mr. Berchmans Kipp, the director of education for the Metropolitan Separate School Board, so we included that. Those two were talked about.

Mr. Chairman: Mr. Cooke has a supplementary. Then I would like to get back on the list again with Mr. Davis.

Mr. D. S. Cooke: Before we get off process, I would like to understand the process better. I have a concern and I want to know clearly. When the minister meets with the commission on criteria, you are saying the commission sets the criteria. Where is the political accountability?

I do not have any problem with the criteria that have been set, generally speaking—our critic will go into the criteria in more detail—but I do have a problem with the process. If the commission, which is not responsible to the Legislature, is allowed to make policy, and it is only a courtesy that the minister is informed of what the policy is, where is the political accountability in this process?

Hon. Mr. Conway: It is quite obvious, or I hope it is quite obvious, that the accountability rests with this Legislature and with this responsible minister.

Having seen the criteria, by and large I was impressed by the work the commission had done and by the emphasis on the important areas of breadth of program, program viability and impact on single-school communities. I believe you said you are quite pleased with the criteria we see before us in this memorandum of September 16, 1985.

Mr. D. S. Cooke: That is not really the point. The point is there could be criteria before us with which we did not agree or which did not reflect

the hearings. If it is only a courtesy that the commission meets with the minister, one of the concerns that many groups have expressed to this committee over the summer concerns the power of the commission.

4:10 p.m.

I have been through many other boards and commissions that governments appoint and, when questions are raised in the House, we are told they are an entity unto themselves. To me, the process would be much better if it required ministerial approval. You probably would approve these guidelines but that would clearly indicate where the accountability lies, which is with the minister, where it should lie.

Hon. Mr. Conway: I can only speak about the criteria now before us and I note your approval of these criteria. The commission and its role are subjects of ongoing interest to the committee and presumably will be dealt with in the fullness of time.

Mr. D. S. Cooke: Some things never change in terms of questions.

Hon. Mr. Conway: I note, Mr. Cooke, your general approval of the criteria before you.

Mr. Chairman: That was not the point. The point was one of process where we are having that clarified. Mr. Davis on this or on something else? Mr. Jackson has another supplementary.

Mr. Davis: Let him ask the supplementary. I can wait. In the fullness of time I will get my turn.

Mr. Chairman: The wonderful thing about this committee is its patience.

Mr. Jackson: There have been casualties but this is the first time I have heard of patients.

I want to follow on this question of process. I am led by the commission to believe that listening to the input helped the commission to arrive at some revisions in its criteria. The minister has freely distanced himself from interfering with that process. Yet we had several groups come forward in the four and a half months this committee has been sitting which took great exception to subsection 136s(4) which deals with the powers of the commission.

If there is no political accountability on that very sensitive point of the power of the commission, who is going to convince the commission that perhaps it should re-examine its role or mandate, if the minister does not?

Hon. Mr. Conway: I have a couple of observations on that. It was made very clear by me throughout the whole summer that for

second-year plans there were going to be two areas of particular interest, the whole question of breadth of program and the facilities question. I made that quite clear and, in communities such as Thunder Bay and elsewhere, I added my great interest in and support for co-operation and sharing.

Perhaps it should also be noted that, when the commission chairman was before this committee over three months ago, he made it clear that there was going to be a different emphasis in the second-year plans. Mr. Newnham might want to speak about that. This government has said it will proceed with the legislation. We have put it forward to you and we do not want to be provocative. I know my friend the member for Burlington South (Mr. Jackson) would not want me to be provocative.

Another administration sent this commission out into the province in the summer of 1984 without any legislation and without much support, from what I could judge at the time. When we came to office, we said we were going to do a number of things. One of those things was to introduce the legislation at the earliest opportunity, which was eight days. It contains clear sections dealing with the planning and implementation commission. I note the concern of the member and the committee about the final form of the legislation where it concerns the commission.

The commission derives its authority from an order in council processed by my colleagues and predecessors when they were in government in the summer of 1984. That authority will be confirmed in legislation that my friend from Burlington and others are going to help to confirm. It is important that we note the fact that there must be an accountability that will rest in this Legislature through this responsible minister.

Mr. Chairman: What I like about the provocative remarks is they keep the chairman's mind alive, which is important.

Mr. Jackson: I have no difficulty understanding the difference between the planning and implementation commission appointed by the previous Conservative government as a fact-finder and the commission's role in terms of setting policy.

The point I raised and wanted to get a response to is, if the Premier (Mr. Peterson) or the Treasurer is directing or leading the commission to believe we are providing funding for new facilities and the planning and implementation commission is revising criteria for staffing in

other areas, where is the Minister of Education's involvement in this process?

Hon. Mr. Conway: I hope the Minister of Education's involvement is clear. I stood in my place on July 4 and introduced Bill 30, at which time I set out clearly six principles the new government felt were very important. One of those principles was re-articulation of the point Premier Davis made in June 1984, which was that there would be a maximum use of existing facilities. I hope in my July 4 statement I set a policy framework into which these criteria fit rather nicely.

Mr. Chairman: Mr. Jackson, in answer to your question, Mr. Newnham was willing even to quote the paragraphs that were of import to him from that statement.

Mr. Allen: I do not want to prolong this particular discussion and I would much rather get on to the substance of the matter at hand. I came into the room most concerned about that, not raising the question that has been specifically raised.

None the less, the answers require further response from the minister. This commission was not established by a legislative instrument and there is no instrument, failing the passage of Bill 30 to date, which mandates or structures it in a very satisfactory way, legislatively speaking, and renders its accountability clear.

It is clear in a general way what the accountability is and it carries some force that you have had, for example, with regard to the implementation plans for 1985. Those plans came to your desk and you authorized those boards to proceed. That was a proper procedure. That gave some force to what happened out there in the field.

With respect to the guidelines for implementation of the second phase of the proceedings, it would seem to me that the commission would itself be on stronger ground to go out into the community with guidelines you had specifically endorsed, rather than simply heard as a courtesy. It is not providing the support for the commission that it should have if you have not given that kind of specific endorsement from your office.

Hon. Mr. Conway: Perhaps I can help the honourable member because I wanted to be fair to the questions. Is the original question, "Were these brought forward for my approval?" They were shared with me as part of, as I say, a regular ongoing dialogue I have struck with this commission.

If you are asking me, "Do I endorse and have I endorsed these criteria?" of course I have. I feel I

have very directly, but if that needs to be repeated in this forum, I am delighted to say so because I feel very strongly that the criteria I had set out in the July 4 statement are very much reinforced by these criteria. I was delighted that the commission had come forward in such a responsive fashion, responsive not just to my statement but to your stated concerns, and proposed the criteria.

If I can, Dr. Allen, let me say I feel in the position to have endorsed these criteria and I am happy to make that as clear as I can this afternoon.

Mr. Allen: Do I understand that at each major step, however one wants to interpret that, in the commission's activities in performing its role, such as this step or the step of the approval of plans and so on, you will specifically endorse or not the step in question?

4:20 p.m.

Hon. Mr. Conway: You can be assured that I mean to pursue a public policy in this connection that respects and reinforces the principles of my July 4 speech. I want to make that as clear as I possibly can.

I was anxious, quite frankly, in the process not to put the committee in any position of compromise or jeopardy because I have been here enough to know of your concern in these areas. Without the final passage of Bill 30, I did not want to be seen to be insulting this committee, which I respect greatly and whose advice and counsel I very much appreciate.

I feel very strongly I have a duty to perform and I intend to perform it. I intend to see the separate school policy develop within the context of my July 4 statement. I repeat that I was delighted to see these criteria and I endorse them now as I endorsed them in my discussions with the commission over the course of the discussion when they came forward, because I see them very much at one with that policy statement of July 4.

Mr. Chairman: What we have then is the knowledge that the commission and minister are of one mind on this issue. The issues of the role of the commission and minister in the future on major matters of decision-making will obviously be ones, we hope, which will fall after we have completed Bill 30.

Therefore, members will have their chance to have their say as to whether it should be an endorsement policy in the future or whether certain steps should be brought in a mandatory way before the minister. I would suggest that we leave this matter for now. You may raise this as

we get to the role of the commission and as we get into clause-by-clause debate.

Mr. Davis: I am going to suggest you make your second point now.

Mr. Davis: With all due respect, since I did abdicate and allow my colleagues to say a few things, I would like to say one thing and then I will move to questioning of the commission, which is what we are supposed to do.

It is interesting to hear the minister state he approves of the new directions. I remember several weeks ago he was very critical of a colleague of mine who came out and made some indications of where he thought Bill 30 should go.

Mr. Chairman: He is a nameless colleague.

Mr. Davis: I will name this colleague. He is the member for Don Mills (Mr. Timbrell). He has now gone ahead, while we are still in the middle of the debate and still wrestling with issues, and it appears to me we have here new thrusts and directions of the kinds of amendments that the Liberal governments are going to make to Bill 30. Be that as it may and be it that he approved the Kenora situation, I would like to move on to try to clarify some of the areas that Mr. Newnham states are now clear, at least to him.

Mr. Chairman: And say whether or not you approve or disapprove of it as you go along, Mr. Davis.

Mr. Davis: No, I will not.

Mr. Chairman: I did not think you would. Yes, go ahead.

Hon. Mr. Conway: That is just the point, if I may. I want the member for Scarborough Centre not to lose sight of one very important fact in all of this. These are criteria by means of which the planning and implementation commission is going to make an assessment and, on the basis of that, recommend advice to this ministry.

It is this minister who then must pass judgement, and I will do in 1985-86 precisely what I did in the summer of 1985, that is, it will be my approval.

Mr. Davis: So you will raise expectations within the Catholic community and say to them, "I am sorry, we are not going to fund you this year."

Hon. Mr. Conway: No. I am simply saying to the separate school community that the buck stops in my office. The authority and accountability rest with this responsible minister of this government. I intend in future years to exercise that authority, as I have in the first year.

I am saying to the separate school community on this matter that with the right to extend comes the responsibility to meet the criteria, the policy objectives of this government. I am very pleased to report that in the first year the separate school community was quite able and willing to do that.

I have never denied the fact that in later years, over the longer term, we are going to have to look very carefully at the important questions, Mr. Davis, that you have properly raised about viability in both the separate and the public school systems.

Let me repeat that with the right comes the responsibility, and the accountability will rest with this minister. The buck will stop in my office. I would be quite delighted to exercise the authority vested in me next year, as I did this past summer.

Mr. Chairman: I am delighted. I would ask the members at this point if we can move on.

Interjections.

Mr. Chairman: There are witnesses who have given their time to come before us.

Mr. Davis: The minister has been very directive in where we should move. I would like the commission to move to single-school communities. I would like it to define for me a few sections in there. One of them is that the plans in regard to those pupils will be reviewed in order to satisfy the commission that the public secondary school continues to meet community expectations for its programs. Will the commission explain to me what it means by the phrase "community expectations for its programs"?

Mr. Newnham: I will start. I am quite sure my colleagues here will want to contribute as we go along.

Mr. Chairman: Put up your hand or nod or something and I will recognize you.

Mr. Newnham: In our hearings and various meetings with board representatives, we have discussed viability and the programs of the schools. In some cases, the schools would be relatively small by Toronto standards. In other cases, they would be as large as many Toronto schools.

Quite often, the community representatives would make statements to the effect that their school was viable in their opinion. They used the word "excellent" quite frequently to describe it. The expectations they had for the education being received by their secondary school young men and women were being met.

This seems to be the case when the school might have 350 or 1,000. In a community where

a school has a population of 1,000, if there is to be a separate school established and the program of the board of education school in that area is going to be threatened or appear to be threatened, then the community expectations may well not be met.

It is because the word "viability" has different meanings in different locations in Ontario that we used this term. The way it is expressed is designed to cause the board in its impact statement, or the separate board in its board plan, to set down pretty clearly what viability means to it, what its expectations of the schools are and whether those expectations are being changed.

Mr. Chairman: Are there any other comments you would like to add to that?

Mr. Davis: That is not good enough, I am sorry. In the review of a closing process of a school in Metropolitan Toronto, a trigger figure in one of the local boards is about 120 for an elementary school. If you ask that group of parents, they will tell you that that school is viable in providing programs for their youngsters. Would you agree that is a criterion that should be worked into the closing of schools—that if the parents agree that the school is delivering the kind of program they want, we should keep them open?

Mr. Newnham: You are talking about an elementary school in the city of Toronto, are you?

Mr. Davis: Even a secondary school. I will move to a secondary school. There is still the trigger figure.

Mr. Newnham: An elementary school with 120 students could indeed be very viable. In a community with employment and so on a consideration in that community, a secondary school of 350 might well be viable.

In a larger centre where there is a more sophisticated work force and the requirements of post-secondary education are different, a relatively small school would not meet the expectations of many of the parents.

Mr. Chairman: There is a danger—

Mr. Davis: Let me ask a question.

Mr. Chairman: Mr. Davis, please, in the sense that the items you are asking your questions under, as I understand it, are single-school communities, Toronto cannot be—

Mr. Davis: Let me go to a single-school community and see if I can get it clarified. There is a single-school community of 340 students. The parents believe it is a viable system. A coterminous second board decides whether it is

going to bus them out or whether it is going to leave them within that jurisdiction. They would like to establish a coterminous panel. Of that school of 340, let us say 40 per cent are separate school students. That is 120 who move off. Do we now have two viable educational components?

4:30 p.m.

Mr. Newnham: In my personal opinion, no.

Mr. Davis: What then would you do in that situation? Would you say to the separate school board, "You cannot form a coterminous separate school," or would you say, "You cannot remove the kids"?

Mr. Newnham: It would be a commission decision, but if I were writing it, the recommendation would be that there are not sufficient students to justify the program and that the approval criteria had not been met.

Mr. Davis: So you would not allow the coterminous separate board to be developed.

Mr. Newnham: In that instance, I would argue quite strongly in the commission against it, because the numbers you mentioned would leave 160 in one school and 140 in the other. You could not have even a semblance of the program approved by the Ministry of Education, the OSIS document. I would think the numbers would be much too small.

Mr. Davis: What you are saying, in effect, if I understand you correctly, is that across this province in many jurisdictions where school enrolment is low, the commission's intent will be to review things very seriously. In all probability, using those kind of figures, there will not be the establishment of a coterminous separate school board.

Mr. Newnham: That has been my statement. Mr. Nelligan, would you like to respond to that?

Mr. Nelligan: Naturally, I might respond a little bit differently. The point is, from the former Premier's original statement we took a mandate that we had to protect the viability of public schools. We have a concern there.

There are other solutions to establishing a separate secondary school. In a particular community such as this one, the approach I would take, and I would probably argue in the commission, would be, "You two get together in the community and come back with some kind of co-operative arrangement where the viability of the school will not be jeopardized. I hope there can be an entity within a school, or sharing programs within the school, or something.

I think there is a danger in quoting figures.

Mr. Davis: That is reality, though.

Mr. Nelligan: It is just that the figures are very subjective. We have found, and I think it was discussed the last time we were here, that the viability of a school seems to depend on what is in existence in the community now. For instance, 340 in a community may be a very large school in the standards of a particular community.

I think that is why the chairman had mentioned we have to take into account the standards of the community, which vary with almost every community. We should be encouraging other solutions and establishing two independent schools in a number of instances.

Mr. Davis: I would like to comment, Mr. Nelligan. You know that expectations of what is viable are also subjective, just as numbers are subjective.

Mr. Nelligan: That is correct.

Mr. Davis: Assuming for a moment that we follow your model, in your new presentation you state, "Public boards provide as much as possible for the needs of Roman Catholic pupils."

Mr. Nelligan: I did not say that.

Mr. Davis: It is in here. It is in your document.

Mr. Nelligan: The public school provides—

Mr. Davis: The public school provides as much as possible for the needs of Roman Catholic pupils. I will read it. I have to find it first.

Mr. Nelligan: What page are you on?

Mr. Davis: Just a minute.

Mr. Chairman: Page 3, first paragraph.

Mr. Davis: It is in the top section. It says, "in order to maintain program viability while, at the same time, providing as much as possible for the needs of Roman Catholic pupils."

I have a question of the commission, whoever wishes to try to answer it. What are those needs and who decides those needs?

Mr. Nelligan: I think the sentence also has in it that "the two boards will work out a co-operative arrangement for the school in order to maintain program viability while, at the same time, providing" and so on. I would say that it would depend on the two boards trying to work out something.

Mr. Davis: Then let me paint a scenario. Let us paint the picture of Kenora, if I may. The two Kenora boards have already indicated to us that they are not too thrilled about operating together or co-operating.

Let us assume in that particular situation that the two boards are not going to co-operate. Then, as I understand Bill 30, it would rest with you gentlemen to make some kind of decision. What criteria would you use to decide the needs of Roman Catholic pupils?

Mr. Newnham: Yes, we would make some kind of recommendation. I think one example we might talk about is Cochrane-Iroquois Falls, where there will be two entities in each of the two schools under that board, with a certain amount of breathing space and with a degree of co-operation in the program as well.

You are asking a question about a specific locality and it is being asked before the commission has had the opportunity to come to grips with it. We can conjecture but we have not had the opportunity to sit and consider it. I would prefer not to prejudice possible discussions later by making a personal commitment here.

The point is being made that in situations like these, the expectation towards which we are going to work as much as we can is that there will be co-operative results determined by the two boards so that the best educational program will be available in the community.

Those are just words until you come to do them but we would hope that in some cases the students would be going to the board of education school for the programs they wanted and in other cases they would be going to the separate school for an option or more, and that the program needs of the students would not be weakened by this process. That is what we are working towards.

Mr. Chairman: If I might caution you, Mr. Davis, it is a little dangerous to deal with a specific community, especially one which is—

Mr. Davis: Let me just make it general.

Mr. Chairman: I am trying to get them on the record. You can use your examples, with respect to numbers and that kind of thing. I do not know how you can do that. We are getting two points under single-school communities which did not exist prior to this, about things which the commission will take into account in regard to co-operation, and then in regard to wanting a descriptive suggestion from both communities as to what is viability.

Mr. Davis: I was not addressing the question of viability at this point. What I was asking was a very simple question, that all of a sudden, if the committee has been monitoring the hearings as it has, the Catholic community has been saying very strongly that in order for what it calls

catholicity to be preserved, it requires Catholic teachers and an ambience that it calls catholicity.

They have expressed to us their great difficulty with sharing facilities. They are prepared to live with that. When you talk to that Catholic community about sharing, it is talking about two separate entities within one building in most specifics.

Now the commission has added a phrase, "In order to maintain program viability while at the same time providing as much as possible for the needs of the Roman Catholic students."

Maybe what I need to do is rephrase my question to ask: How do we propose to provide for the needs of Roman Catholic students in respect to what they call their catholicity and their ambience, rather than program, in school jurisdictions where they are going to be very restrictive of what they can do? How would you do that?

Mr. Nelligan: The problem is that we have been discussing for some time the matter of viability within a school community and we have not come to clear-cut decisions on it yet. We are still studying that matter. That is one reason I was hesitant about choosing numbers because it is something that has to be decided almost on a local basis.

I would like to repeat what I mentioned before. There are other ways of providing in small communities, in some of these smaller single-school communities, a Catholic school setup rather than an independent school. As a person formerly attached to the separate schools, I may not like that but there are going to be situations in the province where that may be all that is possible.

Mr. Davis: My final question is a general one. In effect, what the new directions are doing is forcing sharing in all—

Mr. Newnham: Encouraging.

Mr. Davis: What happens if they do not want to share? You call it encouraging. As I read it, it seems to me it is forced. I will let somebody else ask questions.

Mr. Chairman: That is an interesting interpretation of the word "encouraging."

4:40 p.m.

Mr. Newnham: May I make a comment, Mr. Chairman? I found this extremely interesting because we began with the Premier's statement as our guide and with the order-in-council statement, and we have endeavoured to be responsive to the needs of Ontario, to the various stimuli from boards and the minister and so forth,

and based on consensus, which is essentially all it was, we had 38, or you could say 38.5, out of 40 boards approved.

It is curious that we do not see ourselves as an independent body which issues edicts from on high. We see ourselves as endeavouring to do a good piece of work to help an extremely sensitive government decision along and to do it effectively.

I am grateful for the comments Mr. Davis and others have made because they pointed out areas that we have been talking about. We recognize them but they re-emphasize the importance of them.

Perhaps I can help him in his concern about the very small boards of education by pointing out that a significant number of separate boards have decided not to proceed with this simply because they realize that the two schools that would be left, if they did separate, would not be able to do the job that the one now there does. A number of the ones Mr. Bernier could cite chapter and verse on in northern Ontario fall in that category.

Mr. Chairman: We met a number of those boards which indicated they had no plans for sharing and had a whole range of suggestions, from trying to have some religious instruction brought into the school to just not bothering at all and having extracurricular things at the church. We had any number of suggestions brought before us.

Mr. Allen, is your question on this single-school community or is it on another item?

Mr. Allen: I would like to make a comment and ask a question. I must confess I am not following Mr. Davis's concern because I cannot for the life of me read those two paragraphs and see anything that is changed from the fundamental criteria that were in the original set of criteria that the commission laid out for us late last spring and early summer.

We are in a range of options from zero response, virtually, in which case you ask if you can have a class in Catholic theology, or something like that, that will give something right through to completed secondary school models.

The viability question remains in each of those settings as far as I can see, so that one tries to provide through the aegis of the commission and then finally of Bill 30, as much as possible, for the needs of Roman Catholic students. That is the name of the game.

I am a little puzzled with the phrasing of the latter part of the second paragraph where it refers to meeting community expectations. On the one

hand, one has the Catholic school community, which itself states its desire to you and lays out a plan; on the other hand, you have a public school community through its agencies lay out a response in which that plan may not be satisfactory.

Where, then, is the community expectation and how do you derive that or a sense of it? Are you proposing to hold community meetings or some other third instrument whereby you can gauge community expectations for the children of that community for the delivery of secondary education that somehow is different from the two other players in the community who are delivering or proposing to deliver secondary education?

Mr. Thomas: The first activity of the commission would be to use the board plans and the impact statements in order to come to the conclusions that respond to Dr. Allen's questions—the size of the school, the comprehensiveness of the programs and the expectations of the respective boards and their communities derived from the plans, from consultations with the officials of the regional offices of the Ministry of Education and from field visits where necessary by education officers from the commission secretariat. All these would be brought to bear upon the adjudication of the plans, leading to bringing them to the attention of the commission and leading to the recommendations of the commission.

Mr. Chairman: What Mr. Allen is saying is that what this memo applies to is the Roman Catholic boards essentially and what they then are filing with you.

Is it not a bit strange in a sense, when we know in many areas the two boards are not even talking to each other, that we would ask the Catholic board to talk about the community expectations around the public school? That is what this is asking, is it not, in a sense?

Until the whole court thing is cleared up and the boards are actually dealing with each other, you cannot and we cannot mandate the boards to talk to each other. Are we asking here—as I understand it, and Mr. Allen's question indicates he understands it—for the Roman Catholic board to make an assessment about the viability of the public school after it sets up its entity? And who are we expecting to implement this, given the fact that the plan comes from the Roman Catholic board?

Mr. Newnham: I think if we go briefly through the board plan sheets, the pale blue ones, and the impact statements, this will clarify itself. The intent is not to have one approve the other;

we hope they will work together in the development of them. But they indicate they have been aware of the planning of each.

Mr. Allen: I guess if I hear the answer that you are using a lot of the instruments, I would expect you are not introducing yet another vehicle of community consultation, although I was tempted to read that into this line.

Mr. Newnham: No. Bill 30, when promulgated, will allow for the commission to call community meetings if necessary.

Mr. Jackson: I am somewhat confused and I thought Mr. Davis had come close to zeroing in on the concern I had. It has to do with this notion of Catholic students in a single-school community looking to transport out of the school into another facility somewhere. At the outset, that is predicated on the fact that somewhere within that school board the plan has found some accommodations for them, or why would they not already be there?

So it begs the question that in a community where a separate board would like to transport Catholic students out of a single school owned by the public board, somewhere the plan has allowed that they can be put into another school within that jurisdiction.

If I understood Mr. Davis's question correctly, he was asking you if that action created an unacceptable situation in respect of the delivery of program for the balance of the students, as set by community expectations. Would the plan restrict these other pupil places within the plan and therefore not allow the Catholic children to leave that single-school community? That is the way I read it and that is why I am asking whether that is what you envisage happening.

4:50 p.m.

Mr. Newnham: These questions are difficult to answer because one of the prime tenets was the protection of the public secondary school programs in Ontario and that was emphasized by Premier Davis in his statement. So it is quite difficult to take a "what if" and speak definitively on it.

I would ask questions about it. I would want to know, Mr. Jackson, whether there were other ways of augmenting the program and what effect this was going to have on options. How many options were going to be lost? Maybe the program could be strengthened in some ways so that the wishes of both could be met.

The flat answer would be that if the secondary program were to be tripled, the viability limited—

and I cannot define that, Mr. Jackson, until I know the circumstances—

Mr. Jackson: All right.

Mr. Newnham: —but if that were to be happening, then I personally would speak against it.

Let us take another "what if." Suppose we have an area where people are brought in from all over for French programs. Let us say they are francophones in southern Ontario and this is the case. That is a special situation. This is one that was drawn to my attention a couple of days ago. The hope would be that it could be allowed to take place. However, if there is an impact on the local boards, then there has to be a way around it. I am sure there is.

That is not a good answer because we are dealing with clouds here. If we had a specific in front of us and the two of us sat down for an hour, we could probably resolve it.

Mr. Jackson: If I can try this question another way then, I accept that the Premier's original statement made the reference to the viability question. What was absent from the Premier's statement, from your first planning and implementation criteria and from Bill 30 is this whole notion of protecting the single-school community. In my understanding, that is a phenomenon that has emerged from the public debate. Where in Bill 30 is there a reference to protecting a single-school community?

Mr. Newnham: No, I am sorry. I was not questioning that. It was in Mr. Davis's statement—

Mr. Jackson: Of June 12?

Mr. Newnham: Yes, protecting the secondary school. We have lived so close to it and have held it as part of our armour, if you like, that it is a sine qua non.

Mr. Jackson: Maybe I am not making my point clear. When there were more unknowns about what we were doing with separate school funding, there was a notion that some public high schools in single communities would transfer to the Catholic system. There was a fear that this was going to occur.

It appears now that the second-year criteria are moving in a direction that there will be a public school retained in those communities throughout Ontario. The reason I am getting around at the question is that if you are not going to ask a public board to consolidate six public, single-community high schools, as we have in south-western Ontario, into five public schools and then free up a facility in a single community for

the Catholic board—that is the scenario that is plaguing my mind—then what you will have done is to freeze Catholic children in public schools in that whole board district by virtue of the guidelines you have established that no single school will allow for that erosion if it puts the school program in jeopardy. That is the catch 22. That is the forced sharing that Mr. Davis is getting at.

Mr. Newnham: Yes.

Mr. Jackson: There may not be many cases of that. When we get on to accommodation, I will get into detail about how we talk to public boards about school closure policies. But right now in a single-school community there is this dynamic: At what point do we say, “One of your seven or eight schools must be freed up because of your accumulated vacant pupil spaces”?

Mr. Newnham: You have said a great deal and you have touched on a number of points. The commission, in its discussions, came to the decision that there should be everywhere in Ontario a public secondary school to which people could go that would be nondenominational. That is one point.

The commission has never said, to the best of my understanding, that there would never be a school freed totally for a separate board. In cases where there is a geographical dispersement, you condemn students to long bus rides and long days. If we are thinking of the same places, you would make very long days for relatively young people who are in their growth pattern years and who are studying hard and so on. Therefore, it would probably be the question of two entities in the school that would have to work out an arrangement for religious education but maintain the program so that there would be the full educational experience for all the students. It would not be limited for either side.

In other cases there will be a Catholic high school which can be expanded. This would take some of the pressure off some of the area, maybe not all but some of it. In Saskatchewan, we listened to the same person you had listened to. What he said was that schools were built to solve the problems where they occurred. Saskatchewan is not Ontario. It has a much smaller population, much smaller expense and, of course, a smaller tax base to support it.

The only solution to solve everything is just to keep the staffing high for whatever number of students and build another school. Premier Davis, in his statement, suggested that was not going to be possible. We went along with that intent.

Mr. Chairman: So that I can be clear, given the Essex example that you were probably alluding to and given what you have in the first item 3 under single-school communities, Mr. Jackson asked about the possibility of one of those community schools closing and becoming a Catholic school. There are other options in terms of sharing and that kind of thing, but you are not considering that as an option in your definition of a single-school-community. Do you still see that as a possibility if both boards agreed and they travelled to another community? It looks as if you are precluding that in the first paragraph.

Mr. Newnham: I hesitate to prejudice. The board plan will be coming in from that area, but there is Saint Anne’s.

Mr. Chairman: Let us pretend it is another area.

Mr. Newnham: Possibly Saint Anne’s can be expanded and then maybe there can be an entity in another school, but there are several different scenarios which are possible.

Mr. Chairman: Just to be clear on that again, forgetting it is Essex and supposing it is just another fictitious county where a similar situation might apply, are you saying that the actual elimination of a public school in an individual community where, within a board, there may be five or six communities within 15 to 20 miles of each other, is not a possibility, given the way you have phrased the first paragraph under single-school communities?

Mr. Newnham: I do not want to mislead here.

Mr. Chairman: Because, frankly, that is how it reads. I just want to know, and I am not saying that you would definitely close a school if they both said it was possible, if you meant it to preclude, as absolutely as it seems to, the notion that individual schools in that kind of scenario might not close.

Mr. Newnham: I think I said a few minutes ago that the commission has not precluded the possibility of a school which is currently a board-of-education school ultimately being a separate school. The commission does not want, and I hope will avoid if possible, transfers of properties for some time. It has not precluded the possibility.

What I intended to mean was that in an instance like that, you might enlarge an existing Catholic secondary school and that might look after one end of the district. You might have an entity in another school which would enable the program to be maintained.

5 p.m.

Mr. Chairman: I understood all those possibilities. The one thing I was not clear about was whether this was saying that the other option, as unlikely as it might be, of the actual closing of the public school and establishing it as a Catholic school, regardless of the wording of that first paragraph, is something which could be possible.

Mr. Newnham: It has not been discarded out of hand, no.

Mr. Jackson: Based on the response I just received, I would like to bring more focus to this notion of a scenario in which we have Catholic students attending a public school and a separate school board wishes to ensure that they are receiving some type of program consistent with the separate school objectives.

If that is the case, do you foresee—I do not want you to speculate here—the public board beginning religious classes or hiring a Catholic chaplain so the needs of the Catholic students in that situation are met, or do you see it being done solely under the auspices of the separate board operating within that school facility?

Mr. Newnham: There might be experience here from North York where religious classes were offered to a number of Jewish students after school in a Jewish school nearby. That is one possible scenario.

Another possible scenario would be a change in the existing rules in religious education offered in a public high school.

Mr. Chairman: I am conscious of the fact that these are all items that are of interest to the committee. We have focused for much of the summer on the notion that we actually may be talking about things that would come to meat, in terms of amendments, etc. It is pretty nigh irresistible to the members to do that, instead of just having people give us their opinions.

Perhaps the way we should proceed, so we can make sure we are getting at least a cursory covering of everything, would be for me to take each one of these items in here and see if there are any questions at all on any of them.

The next major one is the staffing policy. Although it is only one paragraph, we have already had indications that there are a couple of major changes in appendix A. Is there anything coming out of that section that you wanted more on?

Mr. Allen: I was just wondering if the commission could just simply take us through all of appendix A so we can respond point by point.

It raises a number of discrete issues point by point that will come before the committee. We could proceed that way and raise questions about each of those in turn.

Mr. Chairman: Okay, would you like to give us a run-through? Would members please indicate when we get to the item that they want a comment on?

Mr. Newnham: The first bullet is unchanged; permanent or probationary contract status, salary and seniority, and accumulation of seniority all is the same.

The second bullet states that if collective agreements require modification as a result of this, it is expected to have that worked out locally. That is unchanged.

Third, secondment arrangements for displaced staff are acceptable as long as all concerned parties are in agreement and the employment security of the board-of-education employee is not prejudiced.

Mr. Davis: I have a question for Mr. Newnham. Does that suggest that we will see local boards using a variety of options to deal with the transfer of staff? I recall the Ontario English Catholic Teachers' Association had great concerns about secondment when it was in front of us. If one body says no to the secondment idea in any given jurisdiction, then secondment will not be part of the process. Does that include teachers' federations as well?

Mr. Newnham: Secondment was mentioned as an acceptable thing when we met with the Ontario Teachers' Federation last spring. We have not met with them since the spring.

Mr. Davis: The OECTA president who was before us said, in one of his statements to us, that the association had concerns with no one asking. You say as long as the concerned parties are in agreement, it will be part of the process. I would assume that those concerned parties include the teachers' federations.

Mr. Newnham: And the boards.

Mr. Davis: So if anyone says no, it is down the drain?

Mr. Newnham: That is the way it reads. It says they have to be acceptable to the parties.

Mr. Davis: That answers my question.

Mr. Newnham: There are other ways of doing it than secondment, so it does not close the door.

Mr. Davis: No, I understand that. All I was saying was that if one party out of the four says no, then the whole concept of secondment is gone for that local jurisdiction.

Mr. Reycraft: I just want to make the point that while what Mr. Davis says is true, as far as the parent electoral body is concerned, we have had a great number of the affiliates come before us and say they are quite satisfied to have secondment arrangements.

Mr. Chairman: That might be a local situation, but, again, it would have to have unanimity.

Mr. Newnham: The fourth bullet, about seniority, is also for the protection of transferred personnel. In the fifth bullet, the number of positions lost as a result of a shift of enrolment will become the responsibility of the separate school board.

I would like to draw this to your attention. This is the same as it was last year. Bill 30 makes it the responsibility of the board of education. This is a minor way. It can be done either way. The commission happened to favour this way when it discussed it but it can be done effectively either way, of course.

Mr. Allen: First off, I presume that this also embodies last year's criterion which was that displaced persons would be calculated on the basis of the pupil-teacher ratios of the board of education.

Mr. Newnham: Yes.

Mr. Allen: We have gone through so many scenarios with respect to this transfer business that I am not sure how the committee and the present bill are finally coming out in a lot of details.

How are you handling situations where, in the course of the current year, the separate board has not been able to take up all those positions? An example of that is when qualifications do not match. Do you envisage there will be personnel left behind at the public board who are, in effect, designated? What happens next year to those who were left behind in the 1986 plan? What is the arrangement for carryover?

Mr. Thomas: It is the expectation of the commission that the number of positions declared redundant as a result of separate school extension would be the responsibility of the coterminous or co-extensive separate school board based upon the staffing ratios of the public board of education. If the numbers were adjusted based upon different numbers of transferring students, there would be a slipped-year adjustment based upon the actual number of students who transferred from the public board of education to the Roman Catholic separate school board.

Mr. Allen: Under your criteria, the numbers of teachers are designated without reference to the qualifications of teachers needed, for example, by the separate board. The public board simply says, "How many?" Then what happens?

Mr. Thomas: Then, under the policies of the commission, they would become the responsibility of the coterminous separate school board.

Mr. Allen: What process gets them over into the other board and teaching under these criteria?
5:10 p.m.

Mr. Thomas: The hiring policies of the separate school board. There is also provision within the policies of the commission for the board of education, the separate school board and the teachers' federation affiliates to develop agreed-upon policies. Several school boards across Ontario have developed policies which cover the details of this kind of transfer. These have been very effective for separate school extension this past September.

As a result of that, the commission has made that a part of appendix A. It is the final item on appendix A, and it is something the commission has found to be very helpful. Experience has shown it overcomes many of the concerns you have been expressing, which are very real concerns, about mismatch of qualifications against requirement.

Mr. Allen: As you know, we have seen some very refined arrangements between the boards, that have been very amicably worked out in some instances, certainly. I just wanted to be clear whether you yourselves, this time around, were asking more in that respect or whether you still were basically functioning on a local-initiative arrangement, under a very broadly construed transfer requirement responsibility.

Mr. Newnham: The answer is that we are still thinking of it as something that is solved locally. In your mind, is the thought that the transfer of students may mean that an industrial-art shop is no longer viable because the students are not there, and the industrial arts teacher perhaps does not have the flexibility that some of his colleagues may have.

In cases like that, we feel the ministry should have a training program of some sort. When we met with the Ontario Teachers' Federation, the suggestion was that these people might be excellent at English as a second language, with a relatively short training program—short in the sense that it would not be four or five years; it might be considerably shorter than that—and that teaching experience could be gainfully used.

I think that was one of your concerns, and it certainly is one of ours.

Mr. Davis: Let's use the shop teacher—I think that is very valid because if the teacher happens to come out of a vocational school, he would be excellent with special education. But does that teacher who is declared redundant become the responsibility of the separate school board for salary, or is the separate board leaving him in the public board?

Mr. Newnham: By our criteria, he is the responsibility of the separate board. The instant that Bill 30 is approved, if Bill 30 stays as it is written—

Mr. Davis: Then it would be the public board.

Mr. Newnham: —then it would be the other way, and there is no great problem in doing that.

Mr. Davis: The ministry is going to pick up those costs forever and ever and ever, if he stays there?

Mr. Newnham: No, I would think there would be a training process. If this is approved by the ministry and done, there would not be many people involved, but at present that individual would be trained and then would be employed gainfully, so it is not a cost that is picked up—

Mr. Chairman: Under Bill 30, in theoretical terms, if that person could not be retrained for whatever reasons, then, yes, the responsibility stays with the board.

Mr. Davis: I have a final supplementary to that question. I just want your comment on this: If a public board declares there are 15 teachers surplus to its system needs, that should be transferred across, and, because of maternity leaves and so on, they are able to absorb 10 back into their system, so the coterminous board takes five, is the coterminous board still responsible for those 10 positions that they did not take in that year, in the following year?

Mr. Thomas: We feel the provision of the slip year is a provision that would accommodate that. However, in the fifth bullet, it also talks about the mutual agreement of the public board and the separate school board to come to decisions about the very kinds of issues you have raised.

Mr. Davis: Yesterday, when we asked the director of the separate school board from Brantford the same question, he indicated there had been no discussion on that point, and that there had been no direction on that point. When the Ontario Labour Relations Board was before us, it indicated a different scenario for those 10. So what you are saying is, yes, the separate

school board would be responsible for those 10 over the 10-year period?

Mr. Thomas: No, on a slip-year basis, unless there were a provision and an agreed-upon commitment on the part of the separate school board and the board of education.

Mr. Chairman: I think from our perspective, Mr. Davis, the slip year handles this until Bill 30 would be through. Then we have the problem of what to do for the longer range. Would you like to proceed, Mr. Newnham?

Mr. Newnham: We have discussed points 1, 2, 3, 4, 5 and 6, because they deal with the transfer of people. The next one, point 7, states: "No expectations are to be imposed upon personnel transferred...beyond the normal duties...as set out in section 235." That is exactly the same.

The next one, which says, "Where there is an impact...in the elementary panel," is new, and this was discussed.

Mr. Guindon: Is there not a part after that, section 21 of regulation 262?

Mr. Saunders: Section 21 simply is a set of duties for teachers under the regulation.

Mr. Guindon: But it was not there in the last—

Mr. Saunders: No, but it was understood. It is the duties of teachers under the act.

Mr. Newnham: You are right in that it was not here, but it was included, and this just makes it—

Mr. Chairman: It was in before, and now it is explicit.

Mr. Newnham: Yes.

Mr. Davis: May I just ask the rationale for including it? It is just understood. Now all of a sudden it is included. Is there a reason for that?

Mr. Jackson: It was requested.

Mr. Davis: Who requested it?

Mr. Jackson: The federation.

Mr. Newnham: Just to make it absolutely complete, in our discussions we felt that last year we might have been delinquent in not including it. It was in our thinking and in our talking, but it was not down. Now it is down. This will please lawyers in the group.

Mr. Chairman: We always want to keep lawyers happy. This bill likely will keep them very wealthy as well.

Mr. Newnham: "Where there is an impact"—that is new. We have talked about that.

Mr. Davis: The protection of elementary teachers has been our position from the begin-

ning. That is not spelled out. Is it implicit here that those teachers will have job protection?

Mr. Newnham: Yes. This says further, "a satisfactory arrangement on dealing with any impact is to be arrived at"—

Mr. Davis: Between the boards.

Mr. Newnham: Yes.

Mr. Davis: What happens if the coterminous board suggests that that impact is not from the extension of funding? Does it then go before the planning and implementation commission to have it resolved?

Mr. Newnham: To demonstrate that that is the case, yes.

Mr. Jackson: On this point the committee got in the habit of asking boards whether there was any impact, any numbers or measurement of elementary transfer or erosion, and in many cases they stated that there was not.

Recently we had a public board before us that stated: "We feel it may be a problem two, three or four years down the road. The separate school board refuses to discuss with us a plan on how to deal with that, and therefore the separate board is not co-operating with us."

Without saying whether that is a fair decision or not, would you please advise us how you would approach that? It appears that that issue was holding up effective discussions between the boards, and it was not really an issue.

Mr. Newnham: I think you are right. I think it is an issue. Do you know what page it is in the impact statement, Mr. Thomas? It is in here, because we agree with you that it should be. It is page 11 in the yellow sheets. It says, under heading C, "Elementary School Impact: 1. What impact on the elementary school programs and staffings is the establishment of Roman Catholic secondary school programs having? Provide quantifiable information where possible."

I have it flagged as new to draw it to your attention when we go through that, because I thought you would want to see it there.

Mr. Chairman: What you are saying, then, is that for this year it is an item that must be dealt with and must be reported as well.

Mr. Newnham: It was not a consideration in year one, but it will be from this point. That is why it is here and was not last year.

Mr. Chairman: I presume the legislation reconfirms that.

Mr. Thomas: These are multi-year plans and they will be submitted in subsequent years, so it is a multi-year response to the problem. So if it

became a problem three years down the road, there would be provision for addressing it in future years as part of the monitoring process.

5:20 p.m.

Mr. Chairman: Again, there is just the proviso that the act as it is passed reinforces that.

Mr. Jackson: I appreciate that, and on that point I am clear. I freeze-frames each year with regard to the reporting mechanism and in setting the parameters. Does that, in and of itself, set the parameters for discussions in this area?

Mr. Newnham: Yes.

Mr. Jackson: I do not want to lead you, but would you intervene in a case where two boards are not talking, because the public board says: "We are frightened. The separate board is not co-operating, because it will not talk about its impact three or five years down the road."

Mr. Newnham: Yes, we would. This may sound curious, but Mrs. Hendry, who is a member of our commission from Cambridge, feels it is going to be the reverse of the way you are thinking. You are thinking of impact on the elementary teachers in the public system, and she thinks it will be the reverse in her area. So that, too, is something we will be watching.

The penultimate one we have talked about, the slip year, essentially does not create any hardship for the separate boards but is a fairness for boards of education. The last one says, "Agreements on transfer of displaced personnel, in accordance with commission policy, are to be made with boards of education."

Are there any further questions?

Mr. Chairman: None on staffing policy? Point 5 stays the same, one is presuming, as it was initially. Any questions on that?

Mr. Davis: I want to take it back to accommodation for a second, because I do not know whether it ties in. It says, "Accommodation is to be appropriate to the program provided." That has nothing to do with students' admission.

Mr. Newnham: No. Let me paint a wild scenario. Let us say you have a board that has been waiting for extension for years. It is extremely enthusiastic; it wants to do this, this and this, and it cannot erect its school because there are no dollars. So it says, "There is a corner over here, and we will put some kind of shop in there." It may be that this kind of space is really not the answer, so we are saying that there has to be appropriate accommodation for the instruction to be carried out for the sake of the students who are going to be receiving it.

Mr. Chairman: That is just a question of practicality of space.

Mr. Newnham: Yes.

Mr. Chairman: Is there anything further on accommodation? Let us go back to accommodation, because it was earlier and we jumped immediately to the single schools. Is there anything in those items on page 2 that people would like to raise?

Mr. Allen: I am puzzled by where it all appears to end up in bullet 4. You go through a series of possibilities—if this is not available, then that—and you sort of back yourself up. Then finally it says: "Provision may be made to use portables. Lack of capital funds will restrict the availability of portables."

That raises the question of whether we are using accommodation and facilities in such a way as to make it possible for a separate board to refuse admission to Roman Catholic students who would normally have access to the system. It almost sounds as though you get full up at some point and there is not going to be money anywhere for any further facilities so: "No more students. Sorry."

I am sure that is not the way you meant it to read, but that is the way it struck me when I got to that point in the series.

Mr. Newnham: We use the term "will restrict." Lack of money will restrict the availability. That does not say that there absolutely will be none.

In the scenario you are making reference to, let us take the case of a public high school that has space for 400 students. The separate people would have 300, so they would move into the high school on some kind of entity arrangement. If in the following year they grew to 450, so that you were 50 over the actual rated capacity, then you probably would have portables to enable the program to go on so that the students would not be on the street corner for the year.

This is designed to say that if there are capital facilities, they must be used. In your hearings I am sure you have heard of instances in which boards were not anxious to share. They wanted to have their own domain, understandably. But if there is space, the hope is that it would be used gainfully to provide the best instruction possible for the students of both panels.

Mr. Allen: I have confidence in the commission and in local boards' capacity to try to resolve those problems, but this seems to demarcate a finite end to the availability of space in a system, and the lack of capital funds seems to wring it off.

One way or another that board has to have the resources to provide space for all the students who come to it under the Education Act. The public board would have the same requirement. We have board jurisdictions in which both boards are expanding in numbers and are over limits in their schools.

I do not know whether this question is to you or the minister. If one says, "Sorry, lack of capital funds restricts the availability of portables to add to your space to accommodate your students," where do you then go with your guideline? I do not understand. Surely there has to be a safety valve beyond that statement. I am not sure whether I see what it is.

Mr. Newnham: There is an obvious caution in here for boards that schools will not be built, in so far as we have been advised. We cannot recommend to the minister that a school be built if there is half a school sitting empty. That is what it means.

I would like to point out that I have been asked to meet with the directors of education of either six or seven separate jurisdictions where there is no space at all in the public secondary schools, where their schools are full and they have still got students. What Mr. Allen is talking about is very real, and you are going to be facing it as soon as it is made known and we have a chance to assess it. The minister is aware of it now.

Mr. Chairman: The concern that was hinted at earlier by another member and then dealt with by Mr. Allen is that this is the first time we have heard of the portables being lumped into the capital fund restriction. That is an area you are painting as the most likely one, the rising Catholic population. That is a little frightening to some of the committee.

Mr. Allen made the point that perhaps it is better directed to the minister at this point. Our notion was that special funds were going to be available for portables but that we were not going to see anything much in major capital construction. This seems to indicate, at least in this year, that there may even be some restrictions on the availability of portables. I wonder whether you can clarify that, because it is of concern to committee members.

Hon. Mr. Conway: I note the concern and I would say as minister that we will be reasonable with the application of moneys for portable purposes. I do not want to leave the impression that where portables are necessary they are not going to be made available. That policy will continue to be the case.

I hope people and boards begin to understand that portables are not the final answer in some situations where there is a substantial availability of existing space. This is the point that it is important to make in this connection.

Let me repeat that we will be sensible and reasonable in making portables available where they are required. As Mr. Allen and others can appreciate, there may very well be situations, and we have heard about them in the course of the summer hearings, in which substantial space is available. I hope that with the availability of that existing space there would not be anyone out there imagining that somehow portables are going to be added on a continuous basis.

Mr. Chairman: The caution I would make is that, as I read this particular bullet as an item by itself, it is saying that there is no space and yet the portable restriction is being added to it. That is maybe something on which we could use some clarification at this point. It sends out a very draconian message to separate boards; at least, it would to me if I were receiving it.

5:30 p.m.

Hon. Mr. Conway: If that requires some clarification, I would certainly be happy to join the committee in suggesting to the commission that it be done. There is no question that a number of separate school boards in the Toronto area are experiencing very considerable growth and that this growth is going to have to be accommodated to the very best of our ability, particularly since it is occurring in areas where there is just no available space of any kind. I am sure the commission would not want to leave the impression that, to the very best of the ability of government, this growth is not going to be accommodated. Most surely we will make every effort through new construction and the use of portables to meet it.

I simply would repeat the earlier point, though, that where there is substantial existing space, I hope boards will not get the impression that somehow portables are going to be applied on some kind of ongoing basis. If a clarification is required, perhaps the commission might choose to make it.

I hope the view of the government is clear on that. We have growth areas quite apart from separate school extension, and those growth areas have got to be accommodated. We hope to be able to do so as quickly and as sensibly as possible.

Mr. Newnham: Very briefly, the meeting I mentioned with the directors of the separate boards, whose backs are right up against the wall

on space, will be attended by ministry officials and by the directors of the coterminous boards so that everybody sees what is going on and perhaps can play a part in the solution.

So I would say yes, we can clarify that. We say: "Where there is no space available...provision may be made to use portables. Lack of capital funds will restrict the availability of portables." We do not want to suggest that students are not going to be educated, and if you feel it needs clarification, we would be happy so to do.

Mr. Chairman: Just as a friendly suggestion, the boards might—

Mr. Newnham: Yes, we will act on it.

Mr. Jackson: I have a supplementary on the response from the minister. Did he imply that if there were amendments to these guidelines? I thought he said he would join the committee and recommend to the commission. Were those the words you used?

Can this committee, through you, recommend a change to the criteria statement for the second-year plan?

Hon. Mr. Conway: I was just noting a clarification. I obviously read that in a different way than did the committee members. I certainly note the point and I am sure the commission notes the point. I would not want to leave the impression that as a government we are not going to do the very best to meet growth in areas where there is no existing facility. I want to be as straightforward about that as possible.

There is an impression here that is unfortunate from the way in which this is being worded. Really all I was saying is that I would certainly endorse a clarification of that point, keeping in mind my earlier point, however, that from the ministry's perspective, where there is available space—and we have seen in the province that it is available in very substantial measure—we hope that as we proceed into the second-year plans, boards working co-operatively among themselves could work out arrangements to utilize existing space instead of imagining that somehow portables—120 of which, approximately, we funded this year—would be drawn upon on a continuing basis in the face of the existing space that is not now being utilized.

Mr. Chairman: Procedurally we do not have the authority as a committee to do what you are suggesting; and I cannot accept votes, because we have agreed that we will not accept votes until we finish the hearing process. What we can do is what has been done at this stage: raise our

opinions in discussion here. I think those have been heard, and if you want to add more to it, then I would suggest doing it directly with Mr. Newnham.

Mr. Newnham: Maybe I can take you off the hook a little, Mr. Chairman, and perhaps take the minister a bit off the hook. We would be happy to do it, because responsiveness has been our game for the past year. If this is felt to be a point, we would be happy to do it. We all want the same thing. We all want to get this thing resolved effectively.

Mr. Jackson: My question was, can the minister specifically direct an amendment to these guidelines.

Hon. Mr. Conway: I said earlier that I must make final decisions about plans that are being submitted on the basis of these criteria. That is my responsibility, I want to make it very clear, and that is a responsibility and an accountability that I intend to exercise.

I was very pleased with these criteria because they very much reflected the kinds of criteria that I imagined as being necessary to give effect to the policy as I outlined it on July 4. I want these guidelines to be as clear as possible, and I know the commission does as well. If there is some clarification required or if there is some confusion, I think we should, as a reasonable group of people, work towards resolving that.

Mr. Chairman: Procedurally, I am not sure what the situation is, but I presume your orders in council give you the authority to develop your procedures. Otherwise, there is no specific legislation for the minister or us to do any of this at this point.

Mr. Epp: These are through orders in council, are they not?

Mr. Chairman: The establishment of the commission was through an order in council.

Mr. Epp: What about these guidelines?

Hon. Mr. Conway: These are guidelines that have been developed by the planning and implementation commission within the context of the public policy statements that I have made as minister and that the previous Premier outlined.

Let there be no mistake: These guidelines are those of the commission, and on the basis of these guidelines and criteria, plans for second-year separate school extension will be adjudicated by this commission. After that, a recommendation will come to this minister, who is responsible for final approval.

Mr. Chairman: We are getting back to the very first point, which we spent almost half an hour on. I would rather we did not do that again. I think people have had enough time with respect to what they want the minister to do or not to do.

Mr. Jackson: I still have not asked my question about accommodation.

Mr. Chairman: I would like you to do it quickly. We are running out of time here, and I will shortly have to ask you what you want to do about not having finished everything we have dealt with; so if you wish to proceed with your question, you can.

Mr. Jackson: These guidelines seem to leave a certain impression about accommodation. For example, there is a freeze on in this province for capital construction. I am led to believe that the ministry, in a memorandum from Duncan Green on August 12, states that separate school boards should send their capital plans to the planning and implementation commission. Your document makes reference on page 2 to the fact that capital project approval should be directed to the regional office of the Ministry of Education. Now we are telling the separate boards two different stories here from two different sources. That requires some clarification at this point.

Going one step further, we have now established a policy that says a Catholic school has to become a viable unit in order for it to exist, and therefore you will have to use existing spaces in the public schools throughout the community. My question is, what happens if a public board says it has no school in its jurisdiction that it can give up, only a series of classrooms it can provide in the eight or nine or 10 high schools within a community?

You specifically say long-range plans and capital requirements for provision of accommodation are to be realistic, but it takes two to three years in this province to declare a secondary school redundant. What do we do with all the Catholic kids who keep coming in the back door unless we are going to recommend new construction and make portables available? That is the catch 22 I was referring to, the forced sharing that limits completely any new capital construction coming from the government.

I would like your thoughts on how the commission is going to rule with public boards about plans to sell off or to declare redundant secondary schools in Ontario.

5:40 p.m.

Mr. Newnham: That is a difficult question. Mr. Green's memo obviated the possibility of

capital going here and not coming here and so on, and it provided a channel. The regional offices are kept informed of things, and that explains that.

As for the provision of capital dollars for building, it is the Legislature's responsibility to decide whether there are dollars for that. We have been advised that there are not, and we are acting in that light. We are trying to meet your wishes here. We would far sooner say "Build," if it were possible, but that is not possible and we recognize it. The expectation would be that the space in public secondary schools would be used to establish entities, in some cases, right up to the capacity. There could be some portables added if necessary, and so on.

Over the fullness of time, whether the population is going up or whether it is going down, remains to be seen. We think the secondary school population perhaps will grow and then level off. What is going to happen in the overall population, I do not know.

I would ask if Mr. Jackson might let his question go at that until we go through the plans. If we go through the plans page by page, quickly, I think he will get an impression of the kinds of expectations outlined there, and that might be better than the spoken word. Would you agree with that?

Mr. Jackson: That is fine.

Mr. Newnham: If it is not answered—I am not trying to duck—

Mr. Jackson: No; I will frame the question a little better next time, but I will go patiently through the process.

Mr. Newnham: It was clear.

Mr. Davis: I have two quick questions on accommodations, with the easy one first. If a coterminous separate board decides to establish a secondary school and has no buildings but is in a jurisdiction—which will remain nameless—which indicated it is going to put that coterminous board in portables, will you allow that to continue or recur?

Mr. Newnham: This is not meant to be a negative memo. It is not a negative memo; it is designed to help the government policy go forward. At the same time, for the sake of the students we are talking about, we said approval last year does not necessarily mean there will be approval this year.

All I can say to your question is that each instance will be assessed. Available space of one kind or another is a factor. I have seen factories turned into excellent educational buildings.

Perhaps that can happen in that community. It depends on population, influx and a whole flock of things, but I just want to assure Mr. Davis that each one will be studied and that last year's approval will not necessarily mean this year's approval.

Mr. Davis: I have a final question on accommodations; it is a continuation of Mr. Jackson's. Let us take an urban area as an example. There are classrooms available in specific schools in a geographical area. The coterminous board is ready to expand and needs space. The local board says there is no space, but there is space to accommodate them spread out across that jurisdiction.

How does the planning and implementation commission deal with that? Does it allow the coterminous board to set up four or five campuses with a couple of hundred kids in each school? Or does it recommend to the public school board, although they say they do not wish to and could produce information why they should not, that they need to close one of their schools so the coterminous board could be established there?

If that is the direction, who decides which school they are going to close when both boards say they are going to close school X but the coterminous board wants school Y? Who makes those decisions?

Mr. Newnham: Those are pretty heavy decisions because they go a little bit beyond your statement, as you know from personal experience in your board of education. The whole field of adult education has been embraced by boards of education in urban areas and has resulted in pressure on classrooms, but who is to say it is not worth while?

The board plans come in with all these things down. The impact statement has its side of it listed. The commission can bring these people together. The commission, by Bill 30, will have the power to call local meetings, if necessary. The recommendation that goes to the minister will have the commission's best judgement on whether there is a solution or whether there is not. At that point, the minister will act. He may say, "Commission, take another run at it," or he may have some other solution. Our recommendation will be based on studying all of those.

Mr. Davis: To help me clarify this, just so I understand process, this is what I am after: In the scenario I painted, there is no accommodation between the two boards. The planning and implementation commission, or a panel, would look at that and say, "Reviewing all the criteria,

we think public school Y should transfer over." Then the public board says, "That is not the school we want to give up," and the separate school board says, "That is not the school we want." Who is their final appeal for that? Is it you, the commission, again?

Mr. Newnham: Here, I think we are talking about section 136x. What would happen there would be that we would assess the board's plans. If there were not a resolution that we could present to the minister, we would get into mediation. Following mediation, you would get into fact-finding.

Mr. Chairman: I agree with you that this is interpretation of Bill 30. The bill is not in place now; we are actually dealing with guidelines that come before the bill. If we can deal with it in the context of now and not in the context of where we are going, that would be better.

The message inferred is that the commission would make a recommendation in its best judgement, one way or another, and present that to the minister. The minister is the one who is on the hook for appeals from the boards or whatever. I am not interpreting incorrectly, am I?

Mr. Davis: You have interpreted correctly.

Hon. Mr. Conway: I want to make it clear to my friend the member for Scarborough West that the buck stops in my office. He is having a hard time understanding that, and I do not want to be repetitive, but—

Mr. Jackson: But will it be spent on accommodation, especially when the buck gets there?

Hon. Mr. Conway: I believe in prudent management of public resources, as the people of Burlington South would surely want me to.

Mr. Chairman: One-dollar portables are not the answer; I am clear about that.

We have about 10 minutes left in our sitting time, and I am probably going to need the advice of the committee as to what we would like to do. I think we have pretty well exhausted the accommodation facilities section without running through the blue, green and yellow documents.

Looking at the other items in this first memorandum, is there anything under "Consultation and Co-operation"? It seems to me those matters just require the boards to attempt to talk with each other, again recognizing the possibility that this will not be taking place this year and that there may not be the kind of co-operation one would want. However, it requires the Catholic board at least to inform the coterminous board.

Is there anything new there that we should be aware of? The information exchange is something we have heard a lot about, that the programs of one board should be well advertised in the other, etc. Is there anything else you would like to draw to our attention, Mr. Newnham?

Mr. Newnham: No.

Mr. Davis: I have a quick question. As you know, separate school boards and the boards of education have attempted to inform and to assist each other and to reach solutions related to the plans and their impact. Does that allow the boards of education in their impact statements to the commission to point out the deep concerns that have been expressed to us about what happens when there is a coterminous board being developed?

Mr. Newnham: Yes.

Mr. Davis: That is in your guidelines?

Mr. Newnham: Yes.

Mr. Davis: In your bulletin dealing with the information being shared, is there an expectation that the guidance counsellors of both boards or their designates can go into each school system very freely and present the programs that are available?

Mr. Newnham: That has been stated as an expectation.

Mr. Chairman: Under "Data Accuracy and Completeness," I think those things are all self-evident. Under "Procedures," we have already touched on many of these items in discussion of the other matters. Is there anything else under "Procedures" for this year that members would like clarified?

If not, then we have completed our look at the first memo and I am in the hands of the committee. We have 10 minutes, and we do not have the authority to sit past that. If you like, we can be led through the two documents on the impact statement and on the plan so you get an idea the things that are being asked. Then we can leave it at that, and at the beginning of the week or next week, the members, perhaps through me, can raise any other concerns or questions they have and we can forward those to the commission.

The other option would be that we would not necessarily try to finish our discussions with the commission today, but perhaps request that one or some of them, whoever might be able, come back to see us, because we are not booked on Monday yet.

Those are the options we have. Would the members like to run through these two docu-

ments? As well as these two, there is the September 25 document, which we have not looked at. I am in your hands. Do you have any advice?

Interjection: What about Monday?

Mr. Chairman: Let me ask. Mr. Newnham, is it possible for any of you to join us Monday afternoon after orders of the day?

Mr. Newnham: We are in your hands. We would be happy to attend at your request.

Mr. Chairman: Personally, I would think it would be an error for us to go rushing through when this is such an important matter for us at this point. Instead, why do we not adjourn for the day? You are able to come back on Monday. We will reconvene after orders of the day on Monday afternoon. Perhaps you could check your calendars to make sure.

Mr. Newnham: Is that October 28?

Mr. Chairman: That is right.

Mr. Newnham: What time?

Mr. Chairman: Again, it is after question period. We would hope it would be around 3:30 p.m., but sometimes it can be delayed until as late as 4 p.m., unfortunately. We will try to inform you of the room in the morning through

the office of the Clerk because we have not had it booked for ourselves at this stage.

At that point, the members will go through the two backup documents and the second memorandum, if that is all right with commission members. We appreciate the time you have taken today.

Mr. Newnham: Thank you for the opportunity. The intention was not that we would go through the second document; it was for information. If it is your wish to do so, we will be happy to do it.

Mr. Chairman: I will be in the hands of the committee at that point, but I do have a sense that when we run through each of these other two documents, people will suddenly have a clear idea of exactly what you are demanding of the various boards, and they may have some more questions on things you have raised today. Therefore, the committee is adjourned until Monday after orders of the day.

Interjection: No, until tomorrow.

Mr. Chairman: Yes, tomorrow we will be back. We are sitting all day and evening tomorrow hearing deputations. How could I forget?

The committee adjourned at 5:53 p.m.

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Graham, Dr. J. R., Executive Director, Regional Services Division

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Nelligan, B. E., Vice-Chairman
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No. S-71

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, October 23, 1985
Morning Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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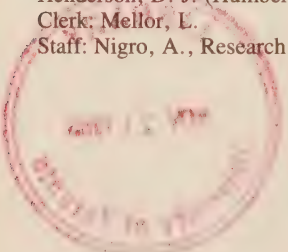
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 23, 1985

The committee met at 10:14 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the meeting to order. We have a quorum, but only a quorum. I would again impress upon members please, that on days when we have witnesses before us, and that is our business for the next few weeks, we must start on time. As it is, this morning our second delegation has withdrawn and we will have lots of time to see people. It still means, however, that our first delegation from Lambton county has had to wait, which is unfortunate.

Perhaps you would like to come forward and take seats directly in front of me. Welcome and thank you for your patience. I presume you are Mr. Allen. Perhaps you could introduce your colleague to us.

LAMBTON COUNTY BOARD OF EDUCATION

Mr. Roger Allen: Thank you very much, Mr. Chairman, for the opportunity to be here. I am Roger Allen, chairman of the board for Lambton county. My colleague is Karen Morrow, trustee and chairman of the implementation committee on the structure of the report. As you see, our report is very brief. We want to bring forward some concerns that we have from Lambton county to show that, although we are a little outpost, we do have some concerns about education and what happens across the province.

I would like to express our appreciation to you for listening to our concerns at this time. It is not our intent to repeat the vast amount of material which has been brought before you by other groups. We would like to focus on the issues that we feel are contributing to the general concern being expressed by the citizens of Ontario.

The initial point to be made is that the arbitrary manner in which the decision to fund Roman Catholic secondary schools was made is not in the best interests of the ratepayers of Ontario. Prior to the extension of funding, two basic questions must be answered:

1. How will having two publicly funded, parallel secondary school systems improve the

quality of education for young people in this province?

2. How much will this duplication of services cost and how does the government plan to provide the additional financial resources?

It is our belief that the answers to these two questions are critical to the future of education in Ontario. If funding a second system costs more and provides a poorer service, then everyone loses. We also believe funding a separate secondary school system will not and cannot promote the "best interests of public education in Ontario."

The above represents the basis of our philosophical position. There are, however, several other issues we feel have not been properly addressed.

The impact of declining enrolment has had a negative effect on the delivery of education in Ontario. Consolidation of programs, increased per pupil costs, teacher retraining and meeting exceptional pupil needs have all been accelerated by smaller schools. The transfer of significant numbers of students from public secondary schools will result in even smaller schools and further accelerate the problems inherent in these smaller units.

The words of former Premier John Robarts, delivered on February 21, 1963, reinforce this concern: "The duplication of facilities, from a financial point of view, is not only impractical but impossible. I do not believe this problem can be oversimplified.

"One very good reason is that our society simply has not enough wealth to support a dual system beyond the elementary level, or a multi-denominational system at any level. From an educational point of view as well, it would lead only to a lesser degree of excellence of instruction as a result of poor facilities, small concentration of students and, thus, less diversification of courses and the necessity of spreading our teachers over a wider and wider area."

The history from 1972 to the present indicates that the education share of the provincial budget has declined from 25.3 per cent to 13.8 per cent. The change in transfer payments, the redefinition of a full-time student and other ministry initiatives continue to reduce provincial grants for school systems. The shift in education costs to

the municipalities and the prospects of increased total provincial cost reinforce our belief that the burden-of-cost question must be answered prior to funding Roman Catholic secondary education.

Bill 30 should not be a piece of legislation to extend the right to discriminate. Although special treatment was provided for Roman Catholic elementary students more than 100 years ago, this special status was not extended to Roman Catholic secondary students. The needs and rights of the people in Ontario have changed over the past 100 years. Now, in 1985, with a new constitution and the Charter of Rights and Freedoms, no government should be attempting to legalize blatant discrimination.

We have concern that sufficient thought has not been given to the following issues: transfers of staff, sharing programs and facilities, impact after five years, requirements of Roman Catholic schools to offer all programs, one-school communities and accountability of the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario.

Our opposition at this time is based upon the belief, as outlined above, that this funding proposal will have negative effects upon the quality of education in Ontario. Your consideration of these comments is appreciated.

10:20 a.m.

I would like to make a few further comments. I have discovered one thing with this, and I know your position. It is very difficult because you have many difficult decisions to make. I was asked a few months ago to speak to the Sarnia and District Labour Council. They had, at that time, two proposals in front of them concerning the funding issue. One of them was saying, "Yes, we support the funding." The other was saying, "We support the funding but without any discrimination." That, in our belief from Lambton county, gives you a real problem, to support it and bring it about and not to have any discrimination.

If you are familiar at all with Lambton county, we had a secondary school that we closed and it was being transferred. At that time, we got quite a bit of flak about being discriminatory. It came a little more to light. As you know, many in the public sector have been called discriminatory for objecting to the full funding. They feel they have been discriminated against for the past 100 years. As a public board, we feel, "How many years after are you going to discriminate against the public board?" You have to realize, as one quick example, when you are dealing with this, the employment picture that is coming up.

I was at a Canadian Education Association conference in Quebec recently. There were two outstanding things at that conference. One was listening to the youth. Even stronger was the second one, employment. As boards of education, we can do nothing about employment. We hope the government can but we will wait and see on that. However, that is a strong issue.

In regard to employment, there is a discriminating aspect to the Roman Catholic separate school system. They hire, especially in the teacher vein, practically 100 per cent Roman Catholic because that is the basis of their teaching. The public sector hires at least 35 per cent or better, and you will find that average across the province. With a 35 per cent Catholic community in Ontario, fully 35 going to their schools and another 35 to the public, you will see 50 per cent out of that 35 of the young children coming up have a teaching job opportunity, where the others do not in the public sector. That is just one example of discrimination.

You will find other areas and it is going to make your job very tough to deal with so you do not have discrimination. How is it handled with two boards running it and many issues like that? I do not envy you your job in the least but I hope you will take these things into consideration when you are dealing with it because it can have a much longer-term effect then we have had so far. Thank you very much.

Mr. Chairman: Those matters are of obvious concern to committee members and the discrimination questions are very complicated. There may be, depending on the court ruling, some rights for us to remove some discriminatory sections in terms of the hiring process.

We cannot touch anything in the elementary panel at all at this point because the constitution absolutely guarantees that at this stage. There is some question whether we would have the capacity to do it at the secondary level. Then there is the question of whether we would wish to. There are a whole series of questions that fall out of that. It is something the committee has been trying to deal with and has heard many representations on.

I will start off by asking you a couple of things on your unanswered questions. You have a short list of very important items. Have you seen the new guidelines from the planning and implementation commission? We went over with the commission yesterday its memo of September 16 on board plans and that kind of thing.

They touch on a number of new guidelines regarding many of the things you have listed

there, the sharing of facilities and that kind of thing. A greater emphasis has been put on that in the new guidelines, a recognition for the first time, in direct language, of the problems of a one-school community and an attempt to protect the public school entity in the one-school community and some of the direct program offerings that would be required. Have you seen that document and does that allay any of your concerns?

Mr. Roger Allen: No, I have not seen it. Have you, Karen?

Mrs. Morrow: No, I have not seen it.

Mr. Chairman: I presumed they were mailed out. That was a memo to the directors of education of the Roman Catholic separate board. I am not sure if it went to all the boards. We will be seeing the planning and implementation commission again on Monday. We can ask them at that stage where this has been sent, because I think it would be a very useful thing for both sides to know about, if there are going to be responses.

At this stage, though, you should have received the impact statement. It shows what the impact for next year should be. Although we have not been through it yet with the commission, it does have a number of the items listed for the first time in terms of your feelings about the impact, say, on a single-school community that were not in before. You have seen that document, have you not?

Mr. Roger Allen: I have gone over it briefly. We are going to have a meeting on it on the first of next month, so I have not gone into it in detail.

Mr. Chairman: We would be interested in your response. If, after that meeting, you have any written comments on it you would like to send to me through the chair, I think the committee would like to hear what the response of various boards is to the efficacy of these documents, especially when we get to the stage of developing guidelines for the longer term through the legislation for the commission.

Mrs. Morrow: Is there any provision in the new impact statement for contiguous boards, not coterminous boards? That is a concern in counties such as ours where there is a buying and selling of educational programs across the county borders.

Mr. Chairman: I did not notice it in the memo. As I say, we did not go through this in detail but I do not recall that. I think that is a very good point that we should raise with the planning

and implementation commission on Monday. We will follow that up.

The problems of the contiguous boards where there is already sharing and purchasing of programs and the fact that there might be an increased impact on that are things we have had raised with us by people from Oxford and Norfolk, and other counties as well. That is a very good point. I do not recall it, but I may be doing them an injustice at this point to say it is not in the statement.

Mr. Allen: I would like, first of all, to elicit a little further information about public education in Lambton county. How many elementary schools do you have and how many secondary? What is the population of those schools? How serious is your declining enrolment factor? Could you tell us a bit more about your system?

Mr. Roger Allen: We have 42 elementary schools and seven secondary schools. As far as the declining enrolment goes, we do not have a far-reaching effect. Over the five years we are projected to lose something like 220 students. I believe that is a fair guess.

Mr. Allen: This is normal decline?

Mr. Roger Allen: No, this is in our original impact statement to the Roman Catholic—

Mr. Allen: Perhaps you could tell us what your declining enrolment factor is overall.

Mr. Roger Allen: Right now a lot of students who used to be drop-outs, are going back and taking grade 12 and 13, so we were affected by that, but we are in the levelling-out period. We are supposed to drop about 400 students over that time.

Mr. Allen: That is out of how many students overall in the secondary system?

Mr. Roger Allen: Approximately 6,700 or 6,800.

Mr. Allen: We had the Lambton County Roman Catholic Separate School Board before us when we were in Windsor. If I recall correctly in looking over my notes, I recorded that about 28 per cent of the population in Lambton county is Roman Catholic.

Mr. Roger Allen: Yes, we would say around 30 per cent, so that is a good figure.

Mr. Allen: Are their elementary schools scattered through the county in a fairly even fashion so that they pick up all pockets of—

Mr. Roger Allen: Pretty well, yes. In one area we have a sharing facility.

Mr. Allen: Where is that?

Mr. Roger Allen: In Alvinston.

Mr. Chairman: In Brooke township.

Mr. Roger Allen: Brooke township is correct, yes.

Mr. Allen: What is your sense of the proportion of pickup of the Catholic students at the elementary level in the public system? Is it pretty complete? The reason I ask that is that as the system becomes more complete in Lambton county, if it does not pick up a large percentage—
10:30 a.m.

Mr. Roger Allen: You are saying the elementary students, though?

Mr. Allen: In your system, yes.

Mr. Roger Allen: No, it is not complete. There are certain pocketed areas that do not have the availability and in some areas they do not offer it, such as Point Edward where it would be good to have the two schools as one. We have 20 or 25 Roman Catholic students going there because they do not want to go elsewhere. The separate system is still running a school, but with only 42 students. They can see it shutting down, but they do not want the students being bused to some other school. They want to stay in the locality.

Mr. Allen: I gather that at present their secondary school, St. Patrick's, picks up a very high percentage, about 90 per cent or 95 per cent of the students, from its feeder schools? Is that also your impression?

Mr. Roger Allen: No. The latest we had was 85 per cent. That is mainly in the city. If you go to Forest, there are only two or three of 30 or 40 students who are not going to our public system in Forest.

Mr. Allen: So it varies across Lambton county.

Mr. Roger Allen: Yes.

Mr. Allen: That helps me clarify that picture.

I will leave some other questions here. Others will want to ask questions about a number of aspects of your brief. With regard to declining enrolment and increased costs, yesterday I tried to press the Minister of Education (Mr. Conway) on the differential between the declining enrolment grant for those students transferring to the separate system and the grant for decline through natural enrolment decline. There is a difference in the grant.

He argues that the difference is due to the fact that the instructional costs accompanying the transferring students from your system to the Roman Catholic system are transferred to the

separate system. Therefore, you do not have as great an instructional cost ongoing with those students as a part of your overhead. What is your reaction to that argument? Is that something that strikes you as a reasonable assessment or do you know at this point?

Mr. Roger Allen: I will let Mrs. Morrow answer that as she was dealing with it just the other day.

Mrs. Morrow: There is a great difference. Up until September 1985, we got the declining enrolment factor as outlined in the general legislative grants regardless of whether the students just did not appear or whether they went to another school system. As of September 1985, the difference does come into effect.

As of September 1985, the separate school boards are not allowed to buy secondary education because there is still an elementary school system. All the students we lose because of the enrolment shift go directly to the separate school system. They are not purchasing education from us, so our costs are still there.

The reason the declining enrolment factor was introduced in the first place in 1981 was the recognition of the fact that you cannot reduce costs as quickly as you lose students. We have lost the students to our system; yet the costs are still there and we still have the overhead and the maintenance. We have not been able to reduce the costs for those students, and I do not see why we should get less for those students than we would for losing students for any other reason. I do not think the argument holds water.

When the time comes and the full implementation has taken place and the separate school boards are offering secondary education, perhaps in the case of those who have actually, on a piece of paper, gone to the separate school system, but in fact physically are getting their education from the public school system through purchasing, that argument may then very well hold water, but not at present.

We are quite concerned about the penalty to public school boards in this area. We were promised we would not lose financially as a result of the extension of funding, but the first amendment that has come forward is already penalizing public school boards.

Mr. Allen: The largest element in instructional cost is teacher salary. Is there a significant difference for you in one situation as against the other? Obviously, the separate board is supposed to be responsible for all teachers displaced as a result of the transfer of students and that, presumably, unburdens you of that cost.

On the other hand, what happens with regard to your normal declining enrolment? Do you also displace a number of teachers who go off your salary rolls in the same way or is there a difference that would make a substantial impact on the needs of your system to compensate you for those losses?

Mrs. Morrow: The teaching staff we hire is based strictly on the number of students attending the system. If we have fewer students, teachers are declared redundant and, other than through the supply pool, are no longer employed by the board of education. Under the present system, and this does not necessarily apply to Lambton county this year, any teachers in our system redundant as a result of the enrolment shift to the separate school board would be designated; so there is probably a cost to the public board for those teachers because we have to maintain their sick-leave credits, etc.

With the teacher-pupil ratio being higher and the teaching load being greater in the separate school system, they would not require the number of teachers that were designated. From what I understand in Bill 30, we would be requested to keep those teachers on staff. There is a higher cost to public boards with the enrolment shift to the separate school system than if we had a decline through normal ways.

Mr. Allen: It is an open question as to how those remaining teachers will be compensated for, perhaps under the declining enrolment grant, but that is another part of the issue. If it is part of your costs that are supposed to be compensated through this grant, that is an unusual and unexpected instructional cost.

Do you know what your percentage is with respect to the normal declining enrolment grant? It ranges from 30 per cent to 60 per cent of the grant ceiling per student.

Mrs. Morrow: Yes. We have more than 14,000 students; so we get 30 per cent the first year and 15 per cent the second year.

Mr. Reycraft: Mr. Allen touched on the Brooke situation, which apparently is unique in the province. Could you expand on the provisions that were made there for elementary students to receive a Catholic education within a public school?

Mr. Roger Allen: Yes, it is unique. In that instance, before it was a county board, when it was still the old township board, a new school was being built and education was required for the separate school students. They did not want to bus them so far any more. At that time, they

made a deal between themselves. The two groups got together and, other than religious instruction, the students receive the same teaching. It has worked well all these years with no complaints from anyone.

Mr. Reycraft: Is the system still in place today?

Mr. Roger Allen: Yes.

Mr. G. I. Miller: What year was it implemented?

Mr. Roger Allen: In the early 1960s. I cannot tell you exactly.

Mr. Chairman: I may be wrong, but I thought it was 1964.

Mr. Roger Allen: Yes, 1964 sounds like it.

Mr. Reycraft: How is religious instruction provided?

Mr. Roger Allen: A priest comes in periodically and there is also a teacher.

Mr. Reycraft: When you say periodically, is it daily or weekly?

Mr. Roger Allen: More like weekly, I would say.

Mr. Reycraft: And the teacher?

Mr. Roger Allen: There is a Catholic teacher who gives some instruction and teaches there also.

10:40 a.m.

Mr. Davis: When does religious education occur? Is it during the school day before 3:30 p.m. or after 3:30 p.m.?

Mrs. Morrow: I believe it is during the day. The Catholic students are withdrawn from the regular setting.

Mr. Davis: For how long?

Mr. Roger Allen: For a 35-minute period.

Mr. Davis: When they are taken out of their normal classroom situation for religious education, does the class just continue on with whatever it is doing?

Mr. Roger Allen: Yes. It has not really caused any interruption with respect to educating the students or carrying on school activities.

Mr. Davis: Do they go once a week or every day?

Mr. Roger Allen: I believe it is only once a week. I am referring to that. It could be worked out, for example, in the Point Edward area, which has the same idea. It is a good philosophy. It really helps out both sides and makes the school a community rather than something that is spread out all over.

Mrs. Morrow: We have a unique situation in that area and it came about before 1969 and the county board system, to which the chairman was referring, in Point Edward.

When I was a brand new trustee and very naïve about the ways of the world, my first proposal was to suggest offering a portion of our public elementary school in Point Edward to the separate school board for the students in this one school. I think it was a four-room school. It had no gymnasium and no resource centre. I thought sharing our building, which was half-empty, would serve both of us.

Before the proposal even got to our board, and the proposal was that we discuss it with the separate school board, the headlines all through the papers in the community were that in no way were they going to be sharing any public school facilities. This has prevailed in other areas as well. Although we have one unique situation, we certainly have had strong feelings that they do not wish to share facilities in other areas. There is a balance there. Where it goes from here we will see.

Mr. Reycraft: I will note that co-operation and sharing is going on in the rural part of your community rather than the large urban centres.

Mrs. Morrow: We do not need a rural-city split.

Mr. Roger Allen: To add to that, we wanted to share with the high school we closed. At one time that suggestion was brought forth in a light vein. As Mrs. Morrow said, we knew what happened before. If you publicize it, everybody jumps on the bandwagon. We tried to do it in a quiet way and it was not acceptable.

Mr. Jackson: It was quiet but open.

Mr. Roger Allen: Yes, quiet but open. We are very concerned with supplying education to all the students, as I am sure you know every public trustee is, with the grant money available, which has dropped. In the last five years it has gone from 45 per cent in government grants to 39 per cent in our area. There is a quantity of tax dollars to make up.

We foresee losing money because, when the tax dollars go over to their secondary system, we have completely lost that. There are approximately one or more students involved for every four households that pay taxes. It is not just the ones that go to the school that count; it is all these other households that pay also.

There is quite a concern to be able to maintain what we feel is the good education we provide at present. We have many outstanding students

going to the universities, higher education and better things in life and we would like to continue to develop that.

Mr. Reycraft: I recall quite a controversy in Watford when a proposal was made a few years ago to close the secondary school there. I understand that is the smallest one in the county.

Mr. Roger Allen: That is right.

Mr. Reycraft: How many students are there in Watford now?

Mrs. Morrow: There are 332.

Mr. Reycraft: Could you comment on the kind of program that is provided there?

Mr. Roger Allen: We bus out the ones who cannot get the program they want. They can go to Lambton Central Collegiate and Vocational Institute in Petrolia to receive education in subjects which they cannot get satisfactorily in Watford. It has a program in which the teachers teach maybe four subjects and they kind of bottle it in. With a small school they are covering a lot more areas than would be found in a normal, large high school.

There are many subjects students cannot receive; we just cannot give them those. It is a very basic education, but it is satisfactory to the number of students who go there and the community. The community is very strong about keeping its secondary school.

I am not sure how well I answered that because to go into a long explanation of it would take quite a while. The subjects are core subjects. There are no frills whatsoever, let us put it that way.

Mr. Reycraft: You are offering grades 9 to 13?

Mr. Roger Allen: Yes. If there are some farm boys who want to receive shop education or something like that, they go by bus to Petrolia.

Mr. Chairman: For their full education or for the shop?

Mr. Roger Allen: For their full education. If they go, they transfer completely.

Mrs. Morrow: That is correct.

Mr. Roger Allen: They go to one or the other.

Mr. Reycraft: Could you give us some indication of the number of students who find that the program offered in Watford does not meet their needs and who are going to Petrolia or somewhere else?

Mrs. Morrow: I would not want even to attempt to guess.

Mr. Roger Allen: I could find that out. If I say 10 or 20 per cent, I would only be guessing.

Mr. Reycraft: Five, 50?

Mr. Roger Allen: It is not that high. I would not say it was more than 20 per cent. If everyone went there, we would not have more than 400 students going there.

Mr. Allen: The students who go to Petrolia go there for the whole program or just for the tech?

Mr. Roger Allen: They go there for the whole program. We are talking about a distance of 20 miles; so it is just not feasible to drive them back and forth that distance.

Mr. Chairman: They go for their lunch hour.

Mr. Roger Allen: Teachers can do that, not the students.

Mr. Chairman: Do you have some memory of that, Mr. Reycraft?

I looked through the memo you should have received, which is the September 25 memo that goes along with the impact statement. I can find no direct reference in that to contiguous boards. When you get to the parts about the number of students anticipated and the impact on both elementary now and secondary panels, it seems to me there would be the capacity to write in there where you thought the loss would be to a contiguous board. It would not cover all aspects of impact that you might want to report to the commission. We will raise that with them on Monday and you may be hearing from them about the fact that we spoke with you today.

Mrs. Morrow: May I make two or three comments before we close? It is further to the impact statement. One of the areas that was not in the previous impact statement was the intent of the separate school board in changing its transportation policy.

If, for instance, our separate school board should decide to run a transportation system from the county into the Catholic high school, which now has the physical space to accommodate these students, it certainly would have a large impact on our county schools, which are just barely viable at the present time. If there is no statement of their intent with respect to transportation changes, then the impact cannot be related to the planning and implementation commission.

Of the other two areas I would like to comment on, one was Mr. Richard Allen's statement in London just previously about the public school system failing to teach the students tolerance. We believe the people who have come before this committee have said that we do not ask their religion, which is true. Therefore, how can we teach tolerance?

10:50 a.m.

I would like to refer to the experience I have had with my children in the system. Although they do not go out of their way to point out how people are different in their religion, when a difference does come about—in my daughter's class, for instance, there is one student who does not participate at Christmas, Easter or any of the holidays that make up some of the activities throughout the school—the kids accept that.

The teachers are doing an excellent job of saying that everyone is an individual and everyone has a right to one's own beliefs, one's own way of being, and we respect one another's right to be different. This is handled very well in the public school system without having a little label on everyone saying, "This is my religion and that is yours." I really feel those statements were incorrect and we are not doing a bad job or failing in that regard.

There is another problem I have with the extension of funding. You have heard the recommendations for consolidated schools and a statement was made in London that perhaps the end result of this whole process will be consolidated schools and a working together in that fashion.

I have two children in school. I have a son in grade 6 and a daughter in grade 8. In the next five years my daughter is going to receive her secondary school education in the public school system. I fear for the next five years. The changes and the uncertainties we will be going through are really going to have a negative effect on the education of all students, not just the public school students. I hope you will keep that in mind.

This transition period must not hurt the kids who are involved in the upcoming five to 10 years. Ten years from now we will sit back and see where we erred, but I do not want it to be at the expense of my daughter's education. I hope you will keep in mind that we cannot be using our kids in a trial-and-error method. They are not experiments. They are very valuable to us.

Mr. Chairman: With your comments, I am going to wrap it up. We have another delegation ready. Thank you very much for coming.

The Nishnawbe-Aski Nation has withdrawn its desire to come before us, so we will now hear from the Ontario Secondary School Teachers' Federation, District 26, exhibit 832.

Good morning. It is good to see more Ottawa people here. When we were there, we were so deluged that we did not get a chance to hear from everybody, but we have been seeing you trickle

in here now for the last few weeks. We appreciate you taking the time to come.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION,
DISTRICT 26, OTTAWA

Ms. Boulrice: Thank you. My name is Janet Boulrice and I am the president of District 26. I would like to introduce my colleagues. To my left is Bill Reeth. He is the chief negotiator for our district and also for l'Association des enseignants franco-ontariens in Ottawa, joint negotiations; and to his left, Elizabeth Lebrun. She is our district secretary. We are very pleased to be able to be here today.

Because we were not able to appear previously, and because we know you have already heard 800 briefs or something of that nature, we have restricted our presentation to three main areas of concern. We commend to the committee previous briefs presented by the provincial OSSTF, the Ottawa Board of Education and a submission by trustee Jane Dobell of the Ottawa Board of Education. Her submission was largely to do with adult education and that is a very important area to us, even though it is not in our brief.

First, we would like to suggest the creation of a unified board in the Ottawa area. On pages 2, 3 and 4 of our brief, as well as in appendix 2, we have illustrated a wide variety of agreements and arrangements between boards in the Ottawa area over the last 20 years. Most pertinent were the agreements by which, in the 1960s and 1970s, Catholic schools or parts thereof, English and French, with their staffs, were absorbed into the public system.

The francophone schools which were involved form part of the nucleus of the current French public system in Ottawa. When they came, they maintained their uniqueness and the recognition of their catholicity. That system of putting the French public secondary schools with the rest of the public secondary systems worked very well in Ottawa.

This success indicates to us that a unified system, with what we see as a nondenominational English section, a Catholic section and a French component, which could also be divided into public and separate if that was the wish, would be a solution in our area. We recognize that the Constitution may prevent an amalgamation at the elementary level, although it would be preferable at both levels. So although our parent body has talked to you about a unified board at the secondary level, obviously we think it would

be a good idea to put the whole education system together in that way.

Such a system would accommodate all specialized programs, including continuing education, with no duplication of services and some staff and student movement within. Each component would be guaranteed its integrity, with trustee representation and without the extent of division which we see now. That is one of the things we see as possible from all of the things that have happened in Ottawa. Such a system would not endanger the integrity of each part and, in the future, other parts could be added if other types of schools were given funding. They could all come under an umbrella system with trustee representation.

We believe this organization in Ottawa currently, with its French and English sections, could be a forerunner of what might be a pilot project for the province. We see that Ottawa would be a good area to try that kind of education experiment. I know it would not happen overnight or end overnight, but we think it is an ideal area for all those reasons.

Second, with regard to Bill 30 itself, we have emphasized only two areas of concern relating to student access. We believe that a publicly funded system should be open to all students and that Roman Catholics should not be denied access to public schools, thereby denying their definition, and that conversely, non-Catholics should be welcomed into the publicly funded Catholic system. We do not see that open access poses a threat to the catholicity of that system.

We refer, on page 7, to the taxation system which Bill 30 suggests, which we believe would hamper parents from sending their children to the elementary and secondary systems of their preference or from sending each child to a school in either system which might best suit individual needs.

The largest part of our comment on the bill revolves around the sections related to staffing. Throughout our comments on pages 7 to 11 runs the desire for staff transfers to be voluntary and that, for reasons mentioned particularly on pages 8, 10 and 11, there be no designation of individual teachers, although positions may be identified. I believe many people have come before you and suggested the difficulty of designating individuals.

Crucial to this view is a successful agreement negotiated between the Ottawa Board of Education and the Ottawa Roman Catholic Separate School Board in June of this year. The teacher federations from both boards were participants in

the negotiations. These negotiations were amicable and we feel they reflected the history of co-operation we have in the area.

As indicated on page 7, the boards agreed on a total of 29 teachers to be displaced as a result of the agreed number of students who were either transferring or were part of a group who would have otherwise come to the public board but do not appear to be so now as a result of the extension of funding. The agreement allows for vacancies to be posted, although this year any volunteers for transfer could apply. That was done because of the lateness at which the agreement was reached.

The separate board vacancies were known and the propriety of the subject areas was discussed between the two boards. Although anyone who wanted to could apply, there had been a discussion during the negotiations about what subject areas they needed to cover and whether that roughly corresponded with what we felt we would lose as a result of the transfer of students.

11 a.m.

After interviews with volunteers for transfer, a second advertisement offered secondments. In this situation, the public board sent out a mailing to every single secondary teacher with the information that was required for them to apply. In the second instance, the separate board sent out a mailing to every public secondary teacher offering them secondments.

Nineteen teachers went to the separate board and the 10 "owed" will be added to next year's allotment. In the future, positions of responsibility from headships to senior administration will also be included and those were part of the discussions that we had with the separate board.

Obviously, if volunteers do not meet the needs in the future, some variation will be negotiated but still without having designations, which we think is a very dangerous practice. We would emphasize that any transfers should be as a result of local agreement wherever possible and based on volunteers wherever possible, with protective guarantees for conditions of transfer.

I would ask you to note section 8 of appendix 1. That is our agreement with the separate board in which the salary that was guaranteed to the teachers who transferred was the salary they would have received in the public board or in the separate board, whichever was greater, so the teacher lost nothing in that regard.

Otherwise, those aspects of our agreement follow the guidelines set down by the commission and follow Bill 30 fairly closely.

We believe all teachers displaced by funding should be hired by the coterminous board or maintain their contract with the public board, rather than having a pool of people seeking job placement around the province.

On pages 9 and 10 we refer to a growing concern that the displaced teachers are virtually the only non-Catholic teachers hired by the separate boards. Previous presenters mentioned this as well.

Unfortunately, teachers in the public system who are non-Catholic, and non-Catholic students in education faculties—and we mention this particularly in the brief—feel it is unfair for Catholic teachers to have more opportunities for hire, and perhaps promotion, depending on what some of the separate boards plan to do.

Within the public system, non-Catholic teachers who would feel uncomfortable in that denominational system and who fear designation as proposed in Bill 30, resent their Catholic colleagues holding positions with a public board. This has concerned us a lot; the undertone of ill-feeling between two religious groups in the teaching body.

Double standard in hiring has always been the case but now, in a fully-funded system, the opportunity for one group becomes much greater than for the other; Catholics may be hired by two boards; non-Catholics by only one.

We have suggested one way in which the pressure teachers feel could be alleviated. All teachers would benefit by a change in the superannuation regulations to permit early retirement without penalty. As we point out on page 11, Ottawa teachers over age 55 comprise 17 per cent of our teaching force; this compares to 12 per cent provincially. Those under 30, who would obviously be helped by this, make up two per cent in our teaching force, compared to almost seven per cent across the province.

As you know, other provinces have proposed changes in pension regulations recently and, in several instances, it was an offer for a one-shot deal in a one-year situation to alleviate the stress.

Finally, I would like to come to a topic which is interwoven through our brief and that is our belief and support for the public education system. While other measures may be useful and necessary, our first priority is to the survival and good health of what we believe is one of the best public education systems in the world; not just in the province or in Canada, but in the world.

Many people have mentioned before that although there was an original Protestant bias in the public system, that has disappeared as the

population of the province has changed and as much of the world view has changed.

We believe that all children should be together at some time in the education process. I believe that so strongly I would like to say it again. All children, at some time during their educational life, should be together in one system. The two systems allow for separation up to the school-leaving age and extension would allow separation of a majority of Catholic students.

We believe the Constitution no longer reflects the Ontario of today and if the courts rule that extension of funding can proceed, obviously we would like the government to choose not to, certainly not at the speed with which it is happening. If the courts rule that extension of funding must proceed, obviously we would like the government to lead in seeking a change in the Constitution.

While I have mentioned that, I would like to say that the Education Act of Ontario, in section 235, asks teachers to inculcate respect for the principles of Judaeo-Christian morality. While we are promoting universal morality and ethics in the system, and our history reflects the heritage of western civilization which includes a Judaeo-Christian background, we believe emphasis such as that, on one religion, is not acceptable in Ontario today either, and that should be removed from the Education Act.

One of the very sad aspects of this issue is the fact the debate has been allowed to perpetuate misconceptions about the public system. I would like to give an example of that. On October 9, the Minister of Education appeared on an open-line radio show in Ottawa, and during that time a listener called in repeating misinformation and untruths about the curriculum and teaching in the public system in Ontario.

The minister's response was to say the public and separate systems both provide a good education. While that is quite an acceptable response, my problem is that the criticism was not levelled against the separate system, it was levelled against the public system.

Since the minister knew the caller was incorrect, I believe he should have defended the public system vehemently. To me, what happened that day, that he did not deny the caller's allegations, has occurred all through this situation. In an effort to appear neutral and fair to everyone, there has been no strong defence of the public system in many instances in which I believe there should have been.

I would like to finish by making a personal comment. As a teacher, I believe young people

must learn the views of others in order to understand their society. In adulthood, too many see only the differences and no one helps them see our common humanity.

As a history teacher, this belief has been especially significant. My favourite course to teach is grade 11 history, an ancient and medieval course. My favourite theme in that course is the role of religious thinking in western history. That includes the development of Judaism, Christianity and Islam. My students learned it was possible to discuss religion in history, as long as they respected the beliefs of their classmates.

Through the years of teaching that course, my classes became more cosmopolitan, until they resembled somewhat the class described by one Ottawa teacher whose letter to the editor we have reprinted on page 5 of our brief and which has also been widely circulated in teacher publications in Ontario.

As the student body diversified, it provided resource people for me. My teaching of Judaism had to be acceptable to the Jewish students in my class, Christianity to the Christians, and my presentation of Islam had to be acceptable to the Moslem students. Of course, the Christians were divided and subdivided among themselves.

The last time I taught this course, the Christians, Protestants and Catholics, were particularly noteworthy as individual groups because they were evenly split. Most of the Catholic students, as it happened—and I do not think I ever have had a class that was divided in just this way—had come from the separate system that year. They did not know the others and the others did not know them, but they were a small group themselves, observing how they fit into this course.

It is interesting that the two Christian groups often know little of each other's beliefs. When we came to study the medieval Catholic Church and the Protestant Reformation, at the end of the course it was, as always, a wonderful experience for all of us at the revelation of all the similarities the two groups had in their beliefs, when both had supposed there were overwhelming differences.

Inevitably, as we moved through the course, Moslems, Jews, and especially Christians, all discovered and appreciated each other's beliefs. This led to an understanding of their families and how they fit into their religious heritage, and even to their ethnic heritage, as it applied. For me, that is my role as a teacher fulfilled. It is one of the reasons I loved that course so much,

because it gave me the opportunity to achieve that kind of coming together.

11:10 a.m.

While I was thinking about that and how important it was to me, I realized, because of Bill 30, that particular class will never happen again. There will not be a group coming from the separate system, because almost all those students have been lost to the public board in Ottawa. As time goes on, there will be fewer Catholics in that course and in the whole system because of the way Bill 30 is organized. As a teacher, I will have lost an opportunity that is very precious to me but I believe the students will have lost much more.

I would like to finish by saying that throughout the world, organizations and governments are trying to bring people together based on the principle that there must be communication in order to have understanding. In Ontario, which is more a microcosm of the world mosaic than any other province in Canada, we are separating large numbers of our youth on the basis of one view of one religion. Children of Ontario will all receive an education but if they do not know each other, will it be a good education?

Mr. Chairman: Thank you, Ms. Boulrice. The presentation and your personal comments were very thoughtful. You have very lucky students, including the atheists in the class, I am sure.

Ms. Boulrice: And Hindus and Buddhists.

Mr. Chairman: Thank you for the presentation in general. I appreciate the points that have been made. I am sure there will be questions from the members.

Mr. Allen: To address the major proposition in your brief, which is the notion of an experimental unified board in the Ottawa area, I suppose not only I, but also my party have for some time been concerned about the increasing consolidation of larger and larger bureaucratic units. I suspect you have a residual concern of your own about that process and what it does to local participation and all sorts of things in the system.

Given the likelihood that under the French governance bill, there will be another kind of experiment in the Ottawa area, do you envisage something acceptable to you that might involve an educational council that would cap all that? Or is there presently any over-arching joint board committee in the Ottawa area, as there is in my city of Hamilton, a tri-board committee which

regularly reviews options for working together, common delivery of services and things like that?

Ms. Boulrice: Yes, there is a committee that functions perhaps more loosely than that. They work together more on specific projects. The overall committee is more for communication and keeping in touch with each other. There is not very much going on between the Ottawa board and the Carleton public board.

I mention in the brief that another option we see is the union of the two public boards. Since you have mentioned the possibility of the French board, our French colleagues feel that they would like to have a French board. We think that it is not the best idea, perhaps because so much work has been done in the Ottawa area to merge a French and English system together under the public board. It works very well that the two systems are separate but joint and we would hate to see all that work destroyed.

Mr. Allen: Yet the public boards themselves seem to be well disposed to the idea.

Ms. Boulrice: Yes, they are.

Mr. Allen: So it does rationalize the Ottawa regional delivery of education.

Ms. Boulrice: They all would prefer that to a situation where a number of the French high schools were transferred to the separate board. Many of the parents and the large percentage of the teachers in those schools want to remain with the public system or a system of their own rather than that other possibility.

Mr. Allen: With regard to your eloquent closing remarks, which as a history teacher I also share—history is a great vehicle for accomplishing many of those objectives—in the Ottawa board area, is there a program of religious studies in which those students in your class get opened up to some of those issues and perspectives in their own and others' pasts?

Ms. Boulrice: There are sections that deal with world religions as such but generally speaking there is no specific course that deals with that.

Mr. Allen: There are no courses earlier than your grade 11 course to really provide a good opportunity to get into it, because there is not as broad a history base in the curriculum as there once was.

Ms. Boulrice: The world religions courses are also taught at the grade 11 level.

Mr. Reycraft: You mentioned early in your remarks that you favoured an open access provision in the bill. I did not read all of the brief.

You did not comment on exemption from religious education courses for non-Catholic students in separate schools. Could you do that for us?

Ms. Boulerville: It's difficult to say. No student should be forced to take religious instruction and the bill provides for students who are forced to go to the separate system to be exempt. It should not be in legislation simply because no student should be forced, but if they choose to go to the separate system, it seems unlikely that it would cause a major problem.

If there is something that needs to be discussed between the director of that board and whatever family situation, where they want the children to go there for a certain reason, it should be worked out locally. It should not be entrenched in legislation that they must take religious instruction.

Mr. Reyecraft: Did you say you would prefer to see redundant teachers transfer to the coterminous separate board?

Ms. Boulerville: No. Could you expand on that?

Mr. Reyecraft: Teachers who are surplus as a result of the extension of funding.

Ms. Boulerville: They should be volunteers. That is, jobs should be offered. Teachers in the public system wishing to transfer should have the opportunity. As I have said, somewhere down the line, using our own agreement as an example, it is quite possible the number of volunteers will not match the number of positions required. In that case, there might have to be some other arrangement, although I would like it to be local, since the way things are going right now there is a good chance that there will be enough volunteers.

There will be some internal pressure, perhaps not of the kind I would like. One of the things about the way the transfer was handled in the Ottawa area is that there was never any question of finding out what the teachers' religious beliefs were when they went for interviews with the separate board. I'm not certain, but most of them were Roman Catholic, and one was Jewish.

There are a number of people, Catholic or otherwise, but I think mostly Catholic, who see that if the legislation goes through, that system will expand and they may have a chance for promotion, advancement that they would not have in the public system, which is declining. In some instances, they want to change the subject area they are involved in. As they get older, they want to move into something that is partly out of

the classroom, such as guidance; they see that as an opportunity as well.

It has been indicated to me that there may be enough teachers wishing to go. They are not necessarily junior teachers. They are teachers from the middle-aged group—I guess that is most of us—and people from the administrative positions. We may have sufficient volunteers and this would enable our younger teachers to stay.

Mr. Reyecraft: With respect to teachers who are designated redundant, because of the extension of funding, and who are not required by the separate board—

Ms. Boulerville: I cannot foresee that we would be able to designate this individual as the person who is losing his job because of funding, as opposed to declining enrolment. We can associate a certain number of positions with that loss of students. To say, "You are the English teacher that goes because of this," I do not see how that is possible.

11:20 a.m.

Mr. Reyecraft: I assume if we can designate a number of positions, we would then go to the seniority list, to identify the individuals.

Ms. Boulerville: I would assume, if that were possible, most boards would choose that, but there is nothing to say that they must.

Mr. Reyecraft: Really, the point of my question is that I thought you said you would prefer to see teachers remain in the employ of the public board, rather than making them redundant because of extended funding.

Ms. Boulerville: If they do not get a job with the separate board, yes.

Mr. Reyecraft: I understood you to say that you would prefer that situation to be changed.

Ms. Boulerville: No. What I said was I wanted to be with one board or the other, locally, and not have to go somewhere else.

Mr. Reyecraft: I misunderstood your point. I am sorry.

Mr. Chairman: I have one or two questions. I find it a little ironic that we get the suggestion of a unified board from Ottawa. There has been a great deal of co-operation, as you say, but also when we were there it was one of the areas where I noticed the tension between the various groups being greater than in other areas, whether it was between the francophone and the anglophone, or between Catholic and public.

Therefore, I find it a little strange that from a place where I saw greater tension and greater problems potentially for making accommoda-

tions locally, we are now starting to see that suggestion. This is certainly the clearest recommendation we have heard that there be a unified experiment there. I wonder if you would respond to that.

Ms. Boulrice: I mentioned that the bill negotiates for the francophone teachers' association as well and there is a strong co-operation between the French secondary federation and ours. There is exemplary co-operation between the public board and the secondary board, but only in Ottawa. I do not want to offend the people in Carleton, but there is much more friction there between the public and separate boards than there is between ours.

When we are talking about a unified board, although we mentioned the public boards coming together, if we are talking about the Catholic and nondenominational and so on, we are only talking about Ottawa itself and not about a huge area umbrella board. Maybe that is what Mr. Allen thought. Then we would be talking about something that was too unwieldy.

Mr. Chairman: I was also a little confused by that. You are right, the greater tensions that we saw were definitely between the regional board and the city's board. That is right.

We have also had presentations, and I cannot remember the name of the school at the moment, but it is the regionalized art school, if I can put it that way.

Ms. Boulrice: Canterbury.

Mr. Chairman: Canterbury, right. I should have remembered that. They were talking about their concerns about the separations and divisions and their desire for greater co-operation on a regionalized basis, since they had people going from as far away as Smiths Falls, and I gather even Kingston, for programs there. But that does clear that up.

I gather, as you say, you are negotiator for both groups?

Mr. Reith: Yes.

Mr. Chairman: That is kind of unique and shows a great capacity and, also, their faith in you, which is not something we usually see around the province. What we do not get a sense of here, and I cannot remember from the Ottawa visits, is just how much you are involved in the co-operation within the board when decision-making is going on. In a lot of areas we have seen boards having some interesting little structures in which they do co-operate, but the federations really having no input into that process at all. I wondered if you could tell us a bit about how that

has been working within Ottawa itself, and how the federations play a role.

Mr. Reith: With respect to the funding itself and the negotiations or—

Mr. Chairman: No, I am talking more generally at the moment. The theme of co-operation is there. We have seen examples of a couple of agreements made between boards that you have given us here in the appendices, but what were the roles of federations in that? Were you involved in that at all at the board level? How unified a unification do we currently have in Ottawa?

Mr. Reith: I think one of the items that was cited in the brief is the trainable mentally retarded and I do not recall that the teachers had any particular impact or influence or role to play in those negotiations.

With respect to the funding, we have certainly been invited to participate, not in the actual process of negotiations by speaking, but certainly in the role of input. I would say our input has been very well respected and very well heeded. It is almost an unusual situation for the board to act in that way with respect to something of this magnitude.

However, our relationship with our board has in many ways improved rather remarkably over the past several years. That may simply be a process of maturation under the School Boards and Teachers Collective Negotiations Act or it may be the result of other factors. At the moment, I do not think the teachers feel there is any reason why our particular input should not be appreciated.

Mr. Chairman: There is a slightly greater recognition in the new guidelines of the role of federations as players and parties. That was raised yesterday by Mr. Davis in questioning. We have not really heard that much about a coldness lately. I know you are close to it for the reasons you have given.

However, do you see a need for us to spell out more clearly in the legislation as it develops, the fact that as parties to the various processes which are going on here, all the federations should have a specific input; that it should be understood they are party to all of this and are not to be excluded? I have some concern about the effect on workers if the boards get to agree among themselves, but without the federation being mandated to be involved in the process.

Mr. Reith: I speak for our group. I would say the more you can ensure that there will be participation by the various employee groups,

even so far as to signing or approving documents of the sharing—let us put it that way—or the transferring of staff, not necessarily facilities, it would be appreciated. Then there would be the guarantee that teachers and various employee groups would be able to participate in the negotiating process. The council, as you saw it, would be an active participant.

Ms. Boulерice: Perhaps it would be of some use to briefly describe the process that happened in Ottawa shortly after the announcement of the extension of funding.

The separate board and the public board formed discussion committees to meet with each other over the long term. The committees were made up of trustees, parents and teacher representation with the administration as resource people.

Those committees, in which we were equal partners, met regularly over a period of months and sort of paved the way for the final negotiations on staffing and what is yet to come such as negotiations on facilities.

When we came to the actual negotiations, the roles changed slightly in that the actual teams were made up of trustees and administrators. The teachers became resource people. I do not know what happened with the separate board situation, but in our situation, although we were not up front at the table, when we were a caucus we were equal members. Nothing was agreed upon to which we did not agree.

In the discussions on facilities, they have had one or two meetings. Again, it is largely two groups of trustees with administrators. Even though we are not directly related to that, we are invited as observers to all those discussions as well. It has been a very pleasant experience.

Mr. Chairman: Are there any other questions? If not, thank you. We hope you enjoy the rest of the day in Toronto, unless you are flying back immediately. Thank you for taking the time to come all the way down here. I am sorry we did not get to see you when we were there.

Ms. Boulерice: Thank you very much.

The committee recessed at 11:31 a.m.

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 Jackson, C. (Burlington South PC)
 Johnston, R. F., Chairman (Scarborough West NDP)
 Miller, G. I. (Haldimand-Norfolk L)
 Reycraft, D. R. (Middlesex L)

From the Lambton County Board of Education:

Allen, R., Chairman
 Morrow, K., Trustee; Chairman, Planning and Implementation Committee

From the Ontario Secondary School Teachers' Federation, District 26, Ottawa:

Boulерice, J., President
 Reith, W., Chief Negotiator



No. S-72

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, October 23, 1985
Afternoon Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 23, 1985

The committee resumed at 2:05 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the meeting to order. The afternoon session is fairly full, and our first presenters are from the Lennox and Addington County Board of Education. Would you like to come forward, escorted by the member for Scarborough Centre or however you like. Anyone else who is with you should feel free to come up, for moral support if nothing else. Please sit right in front of me in those chairs that are available. This is item 833.

LENNOX AND ADDINGTON COUNTY BOARD OF EDUCATION

Mrs. Mifflin: My name is Karen Mifflin, and I am the chairman of the Lennox and Addington County Board of Education. At the regular October 15, 1985, meeting of the Lennox and Addington County Board of Education, the attached brief was approved for presentation to the social development committee. The board welcomes the opportunity to appear before this committee to present its views and concerns with respect to the extension of full funding to secondary schools in Ontario.

As you no doubt have been told on numerous occasions, the announcement by the former Premier, William Davis, in June 1984 came as a complete surprise to many boards in this province; Lennox and Addington County Board of Education was no exception.

Since the announcement, we have sincerely attempted to co-operate with our coterminous board in the interest of ensuring a smooth transition for separate school students currently in our system who would wish to transfer to the separate schools. This board will continue to work closely in the months and years ahead with our separate school neighbours and friends. This is not to say, however, that we as a board do not have serious reservations and concerns for public education in our county and in this province as a result of the Premier's announcement. Indeed, we do.

We respectfully request your sincere consideration of what we believe to be serious problems associated with the extension of funding as they relate to our board and this province. We further urge you to consider creative alternatives to this very complex problem.

General position: The Lennox and Addington County Board of Education does not believe it is in the best interest of public education or society as a whole to extend funding to the Roman Catholic secondary schools or to allocate resources to any other current or future private school. The following rationale supports this position.

Public education: We believe public education has served Ontario children well. We have a system that is second to none in the world. In our pluralistic society we have attempted to recognize not only the many different and divergent ethnic cultures but also the diversity of religious beliefs and nonbeliefs.

Indeed, during the past few years, and especially since Bill 82, this board has been totally committed to the integration of all handicapped students into regular programs. We are proud of our achievement in this regard. It is with a great deal of satisfaction that we, as trustees, see students in our system who are very severely handicapped, both physically and mentally, being lifted into special buses and being transported to regular schools where they can sit and learn, side by side with their neighbours and friends. Such a setting, we believe, develops tolerance, understanding and acceptance.

We are saddened to think, when we are making monumental strides in this area, that now legislation is contemplated that will separate our youth on religious grounds. Not only will the youth of our communities be separated on religious grounds but also, we believe, needless hardship will be created for students due to transportation.

For example, Napanee is a town of approximately 5,000, where most students are in easy walking distance of the secondary school. The only Catholic high school currently serving our county is in Kingston, some 25 miles away. Surely it is possible to provide religious instruction in our high school so that neighbours can

continue to walk or ride to school with neighbours in our communities.

In our county, at the end of elementary education, students from different religions and nationalities join together in our secondary schools. You are not asked if you are Catholic, non-Catholic or one of our native people from the adjacent reserve. A common secondary experience for all the students of this county encouraged the development of friendly and tolerant relationships.

Although we respect and accept fully the right the Roman Catholics were given under the British North America Act as it related to funding for elementary schools, we believe the segregation of our youth along religious lines during the adolescent years is a grave mistake. Surely this is a time when the young people of our province should be provided with the opportunity and encouraged to develop a better understanding and tolerance of the divergent views represented in the pluralistic society in which they live. In our public schools, this has been happening. It is our belief that this will not continue to happen in two distinctly separate systems.

2:10 p.m.

With regard to financial implications, cost has been placed second in our submission, as we believe the social and religious implications related to the extension of funding are of much greater importance. However, we must realistically face the reality of reduced financial resources as our enrolment declines because of students transferring to Roman Catholic high schools.

In Lennox and Addington, we will lose approximately 30 students a year for the next five years. This amounts to 150 at the end of five years. This assumption is based on the premise that approximately 424 Roman Catholic students will remain in our school, other than those in grades 8 or 11. Should all Roman Catholic students leave our system, there would be serious financial implications.

Although the ministry has stated there will be extra funding provided to compensate for loss due to the extension of funding, we believe it will be difficult, if not virtually impossible, to allocate such resources.

Specifically, we are down the revenue and assessment associated with the loss of 30 students; yet we have not changed or cancelled one bus run, closed one classroom or decreased our supplies, heat or board/teacher personnel. We do not believe our situation to be unique.

Provincially and locally, we question the ability and willingness of taxpayers to support two systems. As this committee is very much aware, there is as yet no true estimate of the final cost. One can become very cynical when we recall as trustees how the tax burden has been shifted from the province to local municipalities because of the lack of funds. Yet, as of June 12, 1984, there is money to support two systems.

With regard to possible future implications, as stated previously, this board believes in one public secondary system universally accessible to all. With the extension of funding to Roman Catholic secondary schools, we will create two systems. We think this is only the beginning of the fragmenting of the present public system that will eventually take place. The belief is based on the following argument.

Section 15 of the Canadian Charter of Rights and Freedoms reads: "Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability." As you are very much aware, the extension of funding is being challenged in the courts. We applaud the present government for finally referring this matter to the Ontario Court of Appeal. Unfortunately, it is after the fact.

However, should the court rule the extension of funding unconstitutional, as we believe it will, then the parties will need to look for another way legally to extend the funding. All parties are committed and will find a way.

Although Dr. Shapiro's Commission of Inquiry into the Role and Status of Private Schools in Elementary and Secondary Education in Ontario has not reported at the time of writing this brief, we believe the extension of funding to private and independent schools will be the only answer the government will have to the constitutional question. Thus, further fragmentation of the public system will result.

Indeed, this board, while totally against any extension of funding to Catholic or private and independent schools, reluctantly must strongly consider the very logical and rational argument in support of the rights of all people in the province, regardless of colour, creed or religion. One could justifiably ask, "Does this government or any other need to ask the Ontario Court of Appeal if all groups should have equal financial recognition under the law?"

We would ask you to consider a further possible, larger implication. We believe there is a very real possibility that should the extension of funding be granted to Roman Catholic secondary schools, it is just a matter of time until there is a request for Roman Catholic universities. Surely the arguments used for extending the funding from elementary to secondary schools are just as appropriate when applied to the extension of funding from secondary to university. Did the Fathers of Confederation envisage a kindergarten to grade 13 Catholic system? Does this committee envisage a kindergarten to end of university Catholic system in the future? We only ask that you project your thinking a decade into the future.

With respect to Bill 30, An Act to amend the Education Act, we have chosen not to react section by section, since in reading the many briefs already submitted to this committee, most of the specific concerns have been addressed. Therefore, rather than go through the bill clause by clause, we intend to confine our remarks to three fundamental concerns associated with the extension of funding we feel must be addressed.

1. Both publicly funded systems must be accessible on the same terms to both non-Catholic and Catholic children. Surely no government would even consider more rights for one child than another. For example, a Roman Catholic can go to two systems; a Protestant can go to two under certain conditions.

2. Teachers, custodians, secretaries and all other staff associated with the public school system should have an equal opportunity to work in both systems, not just for 10 years but for ever. We urge this committee not to allow or even consider to recommend a publicly funded system that only hires from one religious group. Such conditions would lead, inevitably, to retaliation by the other public system.

The Lennox and Addington County Board of Education has a policy to hire the best person, regardless of race, colour or religion. I know this committee will agree and support the position that a Catholic should not have two choices while a non-Catholic has one.

We note in many of the briefs and from the Ontario Secondary School Teachers' Federation that concern has been expressed that non-Catholic personnel might be discriminated against in a Catholic school. We agree that this concern must be addressed. However, we would urge this committee to consider strongly the potential for discrimination against Catholics in a public secondary school. I am sure you have

thought of this and realize this is just one more example of the possible division that can result from this proposed bill.

The former Premier in his speech of June 12, 1984, stated, "A new era of co-operation and goodwill in our society will result in a stronger social fabric." Co-operation and goodwill can only be achieved if based on fairness, fairness to all groups, whether a majority or a minority.

3. Although this board concurs that it was necessary to form the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario, and that this commission should be complemented for the way in which it has tackled a very difficult problem, nevertheless, we are very concerned with the increasing power this commission appears to exercise. In Bill 30 this commission seems to be an almost fully autonomous body. We believe the legislation should be changed to make the commission more responsible to the electorate through the elected officials.

Our summary and recommendation are based on these assumptions.

1. We are here today because we sincerely believe that you, the elected officials, are looking for ways to implement a potentially divisive issue.

2. We recognize that you did not make the decision to extend funding and may or may not believe it is the best direction for Ontario children and society as a whole.

3. We believe you recognize our frustration at not having a voice in government to truly express our concern. All parties are committed.

4. Whether the extension of funding is in the best interests of society or not, it is almost a fait accompli and will not be reversed.

Therefore, based upon the above assumptions, we have come here today in the interests of the children we serve in our community and in the interest of the provincial society of which we are a part, in a spirit of co-operation, to challenge each one of you to explore creative ways to implement the former Premier's announcement of June 12, 1984.

This is our recommendation. We believe there is too much at stake to continue the implementation of a dual system of education as proposed in Bill 30. We further believe the extension of funding has been promised and will be delivered. Therefore, we look to this committee to act not only in the interest of public education, but to diffuse a potentially divisive issue.

We are prepared to work, as we believe other boards are, with our neighbours and friends.

However, a new structure is needed that will enable the separate schools to retain their identity and yet provide for the sharing of facilities and resources, both human and material. We believe such a structure is possible. It is therefore recommended that this committee explore the concept of an umbrella educational governing body.

This is not a new idea, but one we feel is worth exploring in some depth. Such an umbrella educational governing body would encompass Roman Catholic education, public school education, French-language education, native education and approved alternative education. We feel strands under this umbrella would retain their uniqueness; yet the sharing of facilities, transportation and personnel could be more readily attained in the interests of all children in this province. Again, we ask only that you consider alternatives. We believe the umbrella board is a plausible one for your further consideration.

2:20 p.m.

In summary, let me reaffirm this board's belief in one universally accessible public secondary school. However, we realize you face a complex issue that does not lend itself to a simplistic answer. We would remind you that the art of compromise was practised by the Fathers of Confederation in order to create this great country of ours. We again challenge you, some 120 years later, to look beyond the simplistic examination of the clauses of a bill that will undoubtedly provide divisiveness to this province—indeed, we are already feeling the effects—to a direction that may not satisfy 100 per cent of all minorities or all majorities but will provide a framework which will respect and address the needs of the strands of our pluralistic society and yet preserve the fabric. We are here today because we believe such a direction is possible.

Thank you again on behalf of the Lennox and Addington County Board of Education for this opportunity. Our best wishes are extended to you as you deliberate on what I believe to be one of the greatest challenges of my generation.

Mr. Chairman: Thank you, Mrs. Mifflin. In your presentation you talk about approximately 30 students moving over each year for the next five years. Could you let us know what has happened this year? We have not had that information yet.

Mrs. Mifflin: Mr. Boston, our director of education, would you answer that question, please?

Mr. Boston: The information is just coming in. Our projections are about bang on with the 30 we projected. To be exact it is higher; it is 33.

Mr. Chairman: Where are they from? Mostly from the south end of the county?

Mr. Boston: No, they are not. The projection was off at the south end. These are small numbers, I appreciate. They are large numbers to us but small to you. There were seven more returned to Ernestown, in Odessa, then we anticipated. We lost four from Napanee.

Mr. Chairman: You lost four from Napanee. But in the northern area, the Cloyne area—

Mr. Boston: There is no loss to Cloyne. We service the north end of Frontenac as well as the north end of Lennox and Addington, plus Renfrew. In our determination, we did not consider anybody leaving the secondary school at North Addington Education Centre.

Mr. Chairman: We had representatives of the Ontario Secondary School Teachers' Federation in the other day. They did not have the information on the actual numbers at that time.

The only thing I would question is the conclusion you draw about the committee—not just the committee but government—that if the court finds against the constitutionality then another solution will be looked at immediately. I am not sure one can presume that. It may be that the government will say, "If the court rules that strongly in the constitutional area and it is not grey with respect to what comes back, that could very well be left alone." That would be my guess.

We have not had any indication that there would be a notwithstanding clause moved or that there would be a move towards presumptions of full funding for the entire independent system, as some people are presuming Shapiro is going to recommend in the next week or two.

Mrs. Mifflin: We understand that.

Mr. Allen: I wonder whether you could first give us a little further information about your system. Did I miss something in the first page or two? Did you provide us with the number of schools you have and how they are deployed in your counties and your jurisdiction and what the relative proportion of the separate and public systems are with respect to their catchment of pupils in your jurisdiction or in your coterminous boards?

Mrs. Mifflin: I will look to Mr. Boston to help me on this. We have three high schools: one in the northern part, one in Napanee and one in Ernestown. Our high school in the northern part at North Addington Education Centre is a very

small one with fewer than 200 students. Our biggest one is Napanee District Secondary School in Napanee and then there is one in Ernestown.

Mr. Boston, could you add to that?

Mr. Boston: I think you were referring specifically to the number of grade 9 students who are coming in.

Mr. Allen: I would like to get an overall sense, if I could. First, what is your sense of the Catholic population in your jurisdiction, the portion of the population? How many pupils end up in both systems, breaking it down from there?

Mr. Boston: We have very hard data on the distribution. We have just slightly fewer than 2,500 students in our secondary panel. We have a very fine board to the east of us in the Frontenac-Lennox and Addington County Roman Catholic Separate School Board. We work very closely together. We have tried very hard not to be sensational about this. We have taken the grade 8 to grade 9 students and the grade 10 to grade 11 in arriving at 30 being as conservative a number as we possibly could—20 and 10.

To the best of our count, we do have 424 separate school children in our system. That is the best determination we can come up with. We have not assumed, and we have said it here, that those children will leave. I hope that assumption is correct.

Mr. Allen: That is the secondary system or elementary-secondary?

Mr. Boston: Elementary-secondary. To the best of our count there were 424 in our system last June. Because of tradition we are hoping that the 424 will stay in our system. You must recall that to the north of Napanee we have quite large transportation runs now, and we feel that historically, although their parents are Catholics, they have gone to our schools and we are expecting they will stay. We are not using those numbers until such time as they become a reality. We are not looking to create sensation.

Mr. Allen: What proportion of the Catholic school children, the potential for one system or the other, is serviced by the separate school system in your jurisdiction?

Mr. Boston: I do not have the exact percentage, but what I can say is the trend we noticed this fall. This is why I am a little shaky on my figure of 424 students; I am beginning to express more concern. Our kindergartens are down significantly this year throughout all of our county, and we have lost the kindergarten children to the separate school. I do not have the percentage. You can see

from the total numbers that certainly it is not nearly as high as in many areas.

I feel that the long-term effects on our board probably will be much more substantial than the immediate ones. I have every reason to believe that the number of students who are currently in our secondary schools, on balance, will stay about the same. We will lose the ones who were at Regiopolis-Notre Dame, which is in Kingston, as you may be aware. We had a certain percentage who would come back to grade 11 at both our schools, Ernestown and Napanee. That has not materialized this year. We have been about bang on with that figure of 10.

What has been drawn to our attention is that we have lost children in kindergarten. We are down quite a number. We have done a cross-reference and we understand that most have gone to the separate school. As you move those children through our system, time will tell.

Mr. Chairman: What are those numbers?

Mr. Boston: I should have brought them. I would rather not give a number off the top of my head. It is in the neighbourhood of 50 plus.

Mr. Allen: Is this because the separate board has just initiated a new kindergarten or junior kindergarten program in your jurisdiction, or is it the effect of some other factor, such as this bill pending, for example?

Mr. Boston: No, I would not say that. There has been no change in kindergarten programs. They have given good service. I think there are two things at work. First, I think there is pressure on parents of young children to go to the separate school, and I speak factually about that. Second, some parents are now looking at the very real possibility of having a kindergarten-to-grade-13 education system in their separate schools and not having to leave at the end of grade 8 and go to Regiopolis-Notre Dame and pay for grades 9 and 10. So the one is factual, the second is assumption.

Mr. Allen: Is the North Addington Education Centre the one that is at risk at this point? You said it had something like 200 students.

Mr. Boston: North Addington is always at risk. Indeed, we are delighted that the minister picked my chairman and me out and said: "I love that building. It is beautiful. What Friday afternoon can I come and see really whether it should have a northern grant in a southern school?" We said, "You name the Friday afternoon and we will be there early."

Mr. Chairman: You will have to take him back to Pembroke. There is going to be a problem.

2:30 p.m.

Mr. Boston: Actually, it did come to our attention that that is a route. But North Addington is a small secondary school, which will not be affected.

If I were to talk about a secondary school that would be affected potentially—and I do not like to talk potentially—I would be most concerned about Ernestown if the separate school built a palatial new building right next door. We draw more than half of Ernestown from Amherst View Elementary School, if that means anything to you. More than half of the students go right out of Amherst View, get on a bus and go 12 miles.

Mr. Chairman: I do not think there are going to be palaces built anywhere by the looks of it. Do you have anything further, Mr. Allen?

Mr. Allen: With respect to the point you make on page 4, we have certainly had drawn to our attention the differentiation between the declining enrolment grant on a normal basis, which ranges between 30 and 60 per cent of the per student legislative grant ceiling, and the grant allowed for the declining enrolment due to the extension of separate school funding and the transfer of Catholic students to the separate system from your system. You made a very clear statement that you have not yet “changed or cancelled one bus run, closed one classroom, decreased our supplies, heat or board-teacher personnel.”

The ministry has been arguing that the difference between the two grants is accounted for by the difference in instructional costs. In the transfer of students to the separate systems those instructional costs go across to the separate board.

Is there any other factor in your situation that enables you to maintain board and teacher personnel, and teacher personnel in particular? Do you in any respect have an increase in enrolment that counterbalances the loss to the separate boards so that therefore you are able to maintain those teachers? What is your situation and what is your response to the proposition of the minister?

Mr. Boston: Regarding this notion of giving us \$700 or so for every student who leaves, we do not see any difference between losing a student to the separate school and losing a student to declining enrolment, and we wonder why they did not put those two figures together. We think probably somebody just has not noticed it, and I do not really want to spend a long time on this. It happens; I worked for the ministry for a number

of years: “Oh, by golly, how did we do that? We will have to tidy that up.”

Either you lose so much money when you lose a student or you do not. On a much higher level—this is what really affects us—we are grossly over ceiling in our secondary panel. Part of it is our northern school, which we dearly love, but it is there and we have to service that community. If you look, you will see that we are right near the top. I do not often say that in front of my board, but I am not home now so I can get away with it.

Our greatest concern—and I do not think you can realize this unless you look at a \$28-million budget—is that when we lose 30 students, we lose the potential for going over ceiling. Therefore, our ceiling is lowered, and every dollar over ceiling is, of course, as you know, 100 per cent. That costs us quite a pile of money, and it is compounded eventually with the assessment that will go.

This is a broken record that you have heard many times. We will have less assessment to raise the extra money we need. If I can address this—we tried to say it in here—with 30 students lost to us, this \$700 is a drop in the bucket. I would argue strenuously that either the \$700 is wrong or the other one is wrong.

Mr. Allen: I see. Thank you very much.

Mr. Davis: I have a quick question. You indicated that you lost kindergarten students because there was pressure. Do you want to expand on that?

Mr. Boston: Not really, because we in this board pride ourselves on our relationship with our neighbouring board and we respect the truncated system that the separate school has had. We respect the pressure that we are possibly getting in our own system now to get the kids in. We respect that; we do not think it is right. The whole thesis of this brief is that separate school extension is a fait accompli. You are politicians; I am not. I believe it is here to stay and it will be given, regardless. I am just asking that you look for creative ways to best implement it in the long term.

I live in the north of Napanee. I have two of our own buses and three separate school buses running down my road. Five buses go down a little country road 10 miles north of Napanee. If we were under one board I think we could get our people into Kingston or the separate school in Erinsville. We could tidy our buses up, through trades with the transportation officer. Elementary and secondary would be sitting side by side in a board office.

Mr. Davis: If we capped transportation grants, that would help too, would it not? It would tighten up your busing problem.

Mr. Boston: It would force us to get together. When it is 90-odd cents on the dollar, who worries about transportation? We would be glad to pick you up. Just let us slide down that side road that Toronto is looking after.

Mr. Chairman: We have noticed that in other areas there has been great co-operation in common bus routes, even with the 90-odd cents on the dollar, and in other areas almost none. It has been interesting to note what motivates people where.

I would like to thank you both for coming and sharing in the presentation and I wish you a good trip back to a county that must be beautiful now.

Mr. P. Morrow is our next presenter, exhibit 834.

PAUL MORROW AND
DR. CHARLES LEWIS

Mr. Morrow: I can appreciate the position of members of the committee. I am sure that, having sat all summer and well into the fall listening to brief after brief, you are well nigh talked to death on this matter. However, I appreciate the opportunity to address you and to make this presentation.

My name is Paul Morrow. I am an ordained minister of the United Church of Canada currently in charge at St.-Luke's-on-the-Hill United Church, a congregation in the southeast-area of Mississauga.

I am joined today by the Reverend Dr. Charles Lewis, who is a member of the Halton presbytery of the United Church and an active participant in St.-Luke's-on-the-Hill United. He is here both for moral support and perhaps to add a few of his own comments at the conclusion of my presentation.

Although this takes the form of a presentation by a private citizen, the contents of the brief nevertheless are endorsed by some 45 people whose names are contained in the appendix. Actually, when I was tidying up my desk today and I knew I had missed a page someplace, I came across another page of signatures I had forgotten to append; so really 63 people have added their names to support this.

I do not want to take the time to read the whole brief word for word. I would direct your attention to particular points.

The purpose of the brief is fivefold: First, to protest in the strongest way acceptable the basic principle of the public funding to the Catholic

separate school system, and second, to give expression to a strong sense of anger at the violence that has been and continues to be done to the social fabric and individuals of our community in Ontario by the actions of the members of the Ontario Legislature in relation to Bill 30.

On that point I sense you have had a lot of expression of the anger related to the process that has been adopted and the way it has been dealt with from the initial announcement through the discouragement of real public examination, discussion and debate of this before its implementation. It was even reflected by the previous speaker today. It is the feeling that this is going to roll along and roll through no matter what happens.

2:40 p.m.

So there is anger at the process. However, there is anger also at the violence to our sense of justice. Maybe the Catholic constituency has been convinced of the constitutionality and legal right of this position, but there are a great many other people in our society who are not convinced of that, and there has been no effort to address this satisfactorily before the implementation of this policy. I suggest, with the results of the 1928 Privy Council judgement, that there is good basis for the feelings among a lot of the constituency about the injustice.

Third, there is anger at the violence that has been done to our vision for our country and our province in relation to the spirit that is reflected in the Charter of Rights; anger also at the continued and expressed determination of our Minister of Education and of our Attorney General (Mr. Scott) to push this through in spite of the many calls from large segments of our population for a freeze on it; anger at the fact, therefore, that the legislators of our provincial government seem to a great section of the public to be putting themselves in the role of champion of a system that supports the sectarian interests of part of our population over and against major boards of education and major institutions in the Christian church, all of which are calling upon you to put a freeze on it and to re-examine the whole issue.

Fourth, the purpose of the brief is to urge a complete withdrawal of Bill 30 and to call for a return as soon as possible to the situation before former Premier Davis's announcement. I recognize the political problems that are involved in this, but I see that you have created within this province a credibility problem. You have lost the sense of trust of a great many people. The conviction that you are going to roll ahead with

this no matter what happens makes a great many of us feel that our voices are not being heard.

How do you solve that problem? Those two recommendations are an attempt to suggest that you should say: "We recognize that we made a mistake. We will try to redress it and to regain your sense of trust."

Fifth, we call upon you to press for a thorough and complete review of education policy and goals with the idea of working out something else that better reflects the concerns and the environment in which we are living in 1985.

The three arguments on which the brief is based are, first, on the basis of social justice. This has been touched upon many times by others, and I am not going to go into it in detail. I simply want to underline most emphatically that it is an issue of social justice that goes deeper than law and legality. The word "fairness" has been used. It is a close approximation to what we refer to in the biblical sense of justice and righteousness.

The second issue on which the brief is based is the stewardship of public moneys, and I believe it is an appropriate issue to raise with the standing committee on social development. I have not heard much reference to the funding cost in relation to other social concerns within our society, but when I look around at the fabric of our social system, I see that there are a lot of places where there is a lot of fraying at the edges of institutions within our society.

I speak at first hand of my experience at the Mississauga Hospital, where I continually see the effects of cutbacks in available funding and the effects of the cap on funding because of the provincial guidelines. I see the reduction in the level of enthusiasm on the part of hospital staff. It is no longer a happy place to work, in the opinion of a great many people on the staff there.

I touch upon this in relation to the shortage of funding in the justice system of our province. Recently, in some experiences with the people of the congregation, I have become aware of the tremendous cost to individuals because we do not have the kind of funding that is necessary to do the job there.

As I drive up Hurontario Street, I see two lovely new buildings: the education centre for the Peel Board of Education and, right across the street, the brand-new, newly opened Dufferin-Peel Roman Catholic Separate School Board building, which cost \$6.5 million. I do not know what the new Peel board building cost, but I question our sense of stewardship of money for

social purposes in our province when we have this kind of money to throw into duplication.

The third basis for the opposition has to do with a vision of the kind of province we want to have. An assumption that is made here is that, in our world today, better communities result where encouragement is given to an understanding of other people and an appreciation of other people's heritage, beliefs and strengths, as well as weaknesses. There is encouragement and a learning of respect for others who are different and also a growing awareness of the things we have in common.

The illustration I use a little later to conclude with is from a work by Archibald MacLeish that calls for us to look at our world in today's terms, not the terms of 2,000 years ago, or 50 years ago or whatever. The underlying question is: What kind of community do we want to build?

What I see happening just to the north of me in Mississauga suggests that we are moving to communities that are established along significantly religious lines. Maybe that is partly the result of certain policy decisions of the Peel Board of Education, but it is being enhanced and encouraged by the plan to extend full funding to the separate school system.

North of Burnhamthorpe, the area of the map that has been reproduced, the policy is that no public schools are planned to be built in the recognizable future. The schools that are being built there are separate schools. The area is becoming increasingly Catholic in orientation, to the extent that non-Catholics who are living there find alienation within the community and are moving out. This kind of thing is partly the consequence of the funding policies in regard to our separate school system. I think that is moving in the wrong direction.

I conclude those remarks by calling upon you, as a committee, to urge the legislators to step back from where they are on Bill 30, to lift yourselves above the nuts-and-bolts concerns and take a fresh approach that respects the concerns and rights of all segments of our population and to pull back from the program you are following.

Mr. Chairman: Mr. Morrow, did I understand from your initial comments that Reverend Lewis would like to make a comment at this time?

Mr. Morrow: Yes.

2:50 p.m.

Dr. Lewis: Thank you, Mr. Chairman. I realize full well we live in a pluralistic society where everyone can expect justice in this, but

none of us can speak *ex cathedra*—at least I do not, and I gather we are all human here. We are all individuals with opinions.

In my humble opinion, and I am not saying, "Thank God, I am humble," the Legislature has taken a backward step in further fabricating society. In God's name and humanity's name and in the names of the 27 Canadian soldiers I buried in Germany and France, those men are too precious, and mean too much to me and to a lot of others, to further fabricate society by going down a road that leads to further fracturing.

I leave it and save you time. I wish you well and I do not envy you, sir, or any of the other members sitting here. You have to get consensus but please refrain from Bill 30 in its present structure for the sake of the future, which I solemnly believe will be very much worsened by further progress in this direction.

Mr. Chairman: Thank you, Reverend Lewis. Both of you represented your position with quiet passion and great fervour, which we respect. We have now heard or read some 800 depositions, many of which express similar views and many of which express opposite views, a different view of minority rights and how that should be expressed in our society and where money should be spent or not spent.

It has been that kind of a summer for us. People have come with great articulation on both sides of the issue to give us their opinions. It has been a great experience for all members. People keep coming before us commiserating about the hours we have spent, but on the whole it has been a very good experience for the members who have been involved in the committee to have this kind of input. Often we think politics in Ontario are not very vital. On this particular issue we have little doubt at all about it.

Mr. Bernier: I have one brief question. I certainly appreciate the position you have taken, which is a very strong position. I wondered if you have an opinion with respect to the four provinces in this country that have extended funding to the secondary schools. Saskatchewan, Alberta, Quebec and Newfoundland have already moved in this direction. Do you have any rationale or any comment to make on this?

Mr. Morrow: I do. I have lived in Saskatchewan and I have lived in Alberta. In Saskatchewan I lived in a rural area where we were not confronted with the reality of separate schools. In Alberta it was in a larger community where the separate schools certainly did not have the impact upon a community the way they do today in

Mississauga and other areas east of here in Ontario. We are looking at the Ontario scene.

Mr. Allen: It is a pleasure to meet the pastor who is the successor at St. Luke's-on-the-Hill. I am a very close friend of a predecessor of yours, sir, Reverend Mr. Sadler, who is now in a very French and Catholic community in the Eastern Townships wrestling with the other side of this whole issue, I presume.

I appreciate the concerns you brought in your brief. I do not want to get into an argument with you about them. Obviously, there are many points we can discuss at length on this issue and there are obviously many tradeoffs, regardless of which way you go on the issue. I was struck by Archibald MacLeish's quotation, "Men's conception of themselves, and of each other, has always depended on their notion of the earth."

One of the things that has struck me in the course of these hearings has been the extent to which we have had communicated to us, from a substantial sector of the separate school and Catholic community, a notion of the earth that is pretty comprehensive. You will understand this since they derive from a Christian tradition, as you do.

Their schools are very comprehensive in their intent to bring together the many ethnic communities which make up their school system and to foster programs of world religions in which they attempt, for example, to bring rabbis into the classroom, to convey to their students a sense of what the Judaic perspective is, and so on.

The broad perspective that one wants in a classroom in Ontario can be preserved, not perfectly but significantly, in that system, just as it can be preserved well in the public system I happen to support. I would like to share that perspective from our hearings with you because it does speak to some of your concerns, if not all of them.

Mr. Morrow: I appreciate your reference to my predecessor. One of the heritages I have enjoyed at St. Luke's-on-the-Hill has been the close contact my predecessor had with one of the major Catholic churches in the area, St. Dominic's.

I grew up in north Toronto at a time when there was very little contact between Catholics and non-Catholics. I did not know very much about Catholics. I remember when Catholics started coming into our class in grade 11, I looked at these people as very different. They were human beings, but they were Catholic.

I rejoice in the kind of relationship and the openness I am enjoying and our congregation is

enjoying. I cherish the opportunity for young people today to be able to go to school with people of all races and all denominations and not be segregated and not to start to have these two solitudes of Catholic and non-Catholic.

When I see students of all races going to Applewood Secondary School and walking hand in hand, enjoying one another's company without the sense of difference I grew up with, I wish we could maintain that in relation to Catholic and non-Catholic. That is what I would like to see championed.

Mr. Allen: I appreciate that.

Mr. Chairman: I would like to thank you both for coming before us and presenting us with your views today.

Our next presentation is from the York Region Roman Catholic Separate School Board, Ms. Pelliccione and Mr. Zupancic. This is number 835. Perhaps you would introduce your colleagues to us and take us through your presentation.

YORK REGION ROMAN CATHOLIC SEPARATE SCHOOL BOARD

Ms. Pelliccione: My name is Celeste Pelliccione and I am chairman of the York Region Roman Catholic Separate School Board. I would like to introduce the two gentlemen who have accompanied me. On my left is Mr. Terrance Ryan, who is the trustee for Markham, and on my right is our director of education, Mr. John Zupancic.

Before I begin our brief, after hearing the previous two submissions, I want to say that we would like to bring an awareness to the committee that Bill 30 will not create problems in York region. By York region, I mean our coterminous boards. I want to give you that assurance right at the outset. Our brief deals with our coterminous boards.

I would also like to say that I will go through part of the brief and then I will ask Mr. Zupancic if he will speak to the statistics that have been attached to the brief. We will all answer questions, if we have them, at the end.

3 p.m.

I would like to thank you, on behalf of the trustees of the board, for hearing our brief. The brief will concentrate on the Catholic school system of York region, which we believe is the fastest growing school system in Canada, at a rate that exceeds 10 per cent per year.

The regional municipality of York is a region comprised of seven towns and two townships, with a present population of approximately

324,000. From Steeles Avenue, the northern boundary of Metropolitan Toronto, York region extends north 34 miles to Lake Simcoe. At its widest point York region extends 25 miles from the region of Peel on the west to the region of Durham on the east. The area is well served with transportation links, Canadian Pacific and Canadian National railways, GO Transit and five highways.

This area represents a mixture of urban and rural settings in the shadow of Metropolitan Toronto and it shares the ethnic mix of this cosmopolitan city. York region, formerly a land predominantly rural and recreational, has now become an area of tremendous growth. Since 1972, when the region was formed, the population has almost doubled.

Prior to the formation of the York County Roman Catholic Separate School Board, later changed to York Region Roman Catholic Separate School Board, there were 11 organized school boards. In 1969, the York County Roman Catholic Separate School Board came into existence with 18 schools, a staff of 169 teachers and an enrolment of 4,596 pupils at the kindergarten to grade 8 levels.

Today the board employs 1,100 teachers and operates 43 schools, including four Catholic high schools, with a junior kindergarten to grade 10 enrolment of 19,249 pupils. As of September 1, 1985, the board extended its system to include 989 additional grade 11 students, for a total student population of 20,238. This, in effect, represents a growth rate of approximately 440 per cent since the 1969 amalgamation of the school boards. It is projected that the board will continue to grow in excess of 10 per cent annually and will double in enrolment by 1992.

In 1975 the board extended its system to include grades 9 and 10 and, since then, has opened a total of four high schools. Over 80 per cent of the grade 8 graduates have chosen to continue their education in Catholic high schools. Prior to the announcement on extension, the board planned to construct four additional high schools by 1992. With the announcement of extension, it will be necessary to build more high schools, as we expect that more than 90 per cent of the grade 8 separate school students will continue in Catholic high schools as more programs are available.

As growth continues, it is obvious that both the public board of education and the separate school board will require additional secondary schools as a result of the influx of students from the many new housing subdivisions which are being built

in York region. At present our board, in conjunction with the Catholic High School Commission, has three Catholic high schools offering grades 9 to 13 programs. In September 1985 the board also opened a new Catholic high school for grade 9 in a temporary building in Markham.

The board will still have the use of the classrooms owned by the archdiocese for the grade 12 private school students coming into the system as a result of extension. However, there are not sufficient pupil places in total to accommodate the continuous growth. The board requires additions to each of its three high schools for September 1986 and two new high schools for September 1987, a permanent structure for Brother André Catholic High School which is in Markham and a new high school in Woodbridge. An additional high school would then be required each year until 1992.

The good news is that increased enrolments in both systems will mean many new job opportunities for high school teachers. Our board hired 64 secondary teachers for the grade 11 students coming into our system in September 1985; 13 teachers were hired from the private sector, eight from other separate school boards, 23 from faculties of education, 14 from the public schools and six from outside our province. It is estimated that this board will require a minimum of 60 additional secondary school teachers each year until the end of the decade because of growth.

Although the 64 secondary school teachers hired for September 1985 were all Roman Catholic, many were hired from public as well as separate boards, in other areas of Ontario. This will have a ripple effect in that vacancies will be created in these systems, which will either require the hiring of new teachers or will reduce the number of designated and surplus teachers in those systems.

In York region, because of growth, it appears there will be no designated teachers in the foreseeable future. However, should there be designated teachers in the public coterminous board, our board will live up to the provisions of Bill 30.

According to York Region Roman Catholic Separate School Board statistics of September 30, 1985, 109 public school students transferred to Catholic high schools, with only 11 giving extension as the main reason. At the same time, 232 Catholic high school students transferred to York region public high schools for a variety of reasons, and we believe these transfers will continue. Attached are some interesting statistics

regarding the transfers between York region coterminous boards.

In conclusion, the trustees of the York Region Catholic board wish to say they have good relations with the York Region Board of Education and they will do everything possible to make the extension of Catholic schools in York region a success, within the provisions of Bill 30.

I would like now to ask Mr. Zupancic if he would point out some of these statistics to you.

Mr. Zupancic: The next page has a map of York region. The squares represent the present location of our high schools. You will notice one of them is in the north, one in the east, one in the west, and one in the centre of the south. The six circles you see are four planned high schools and two more which will be a result of the extension, some time in the future.

The next page is a summary of the analysis of statistics, which I will come to in a minute. I thought you might be interested in one area. We have carefully kept the statistics from the 1974 to 1985 records, showing the percentage of support we received in each of the high schools as they were built. You will notice that the support grew from 17.5 per cent, when our students attended Catholic high schools in Metro Toronto, until we were cut off from those schools and started our own Catholic high schools in York Region in 1975. There was not enough room in the Metro schools for our students. As we built schools, the support grew to about 80 per cent.

The next page is something we did as a matter of interest. We thought, since this is hot off the press, that some of the members of the committee may be interested in this. We took a survey among all the students coming into our system. We asked them why they came to our school. I will get to that one in just a second. The statistics for those questions, the frequency of answers, are in the next four pages, and then there are statistics regarding overall enrolment gain and loss.

Let us go back to the analysis of statistics regarding the transfer of students between the coterminous boards of the York region on the page after the map. Of the total of 109 students, transferring from public to separate high schools, 66 were from York Region Board of Education, and they were from grades 9 to 13. Out of those 66 students from the York Region Board of Education, 17 entered the private sector, grades 12 and 13, while 49 entered grades 9 and 10. In other words, 17 people chose to pay fees for grades 12 and 13. This has been happening over the years anyway, as you understand.

Of the 49 students entering grade 9, only 11 gave extension of funding as a reason for transferring to the Catholic high school. We had a list of 10 questions, which I will get to in a minute. There is a frequency of answers, and you perhaps have questions on that.

3:10 p.m.

A total of 232 students transferred from York region Catholic high schools to public high schools throughout grades 9 to 13. Unfortunately, we have not been able to ask them why they transferred. They are not in our system.

The higher retention of grade 8 students in Catholic high schools has not been influenced so much by extension, but rather by the natural growth resulting in the greater grade 8 enrolment base and establishment of more Catholic high schools with closer proximity to homes. I think you can see that from the next page. Each time we built a school more students who wanted a Catholic education were able to come. Otherwise, some of them were going as far as 10 to 15 miles by bus to get to a school.

A third factor here has been a desire on the part of Catholic parents to have their children continue in a Catholic high school when it is available.

Finally, because of the requirements set out in the ministry Ontario Schools Intermediate and Senior Divisions curriculum document, Catholic high schools have been obliged to expand and diversify both the level and range of program offerings. As a result, students who previously had to go to public high schools can now access basic level programs as well as a wider range of optional programs in Catholic high schools, including special education programs.

Three of the schools under our jurisdiction for grades 9 to 11, and under that of the Catholic high school commission for grades 12 to 13, offer a full range of programs, advanced, general and basic, including special education. More of these have come in during the last two years because of OSIS.

Perhaps you might have some questions regarding the brief or the statistics.

Mr. Chairman: Thank you. Of the 43 students who were not from York region, were they kids who had moved from the city of Toronto, or someplace such as that in the public system, to York? Where were the rest of the 109 from?

Mr. Zupancic: Generally they came from the Metropolitan Toronto area. I should have mentioned this. A number of the non-Catholic students are Greek Orthodox or Ukrainian

Orthodox. When a school is available, they seek to be admitted. The two religions are very close, although under the legislation the Orthodox are not recognized as Roman Catholics for the purpose of separate school support. However, they do flock to our schools.

Mr. Chairman: So were a good number of the 43, Greek Orthodox kids from someplace in Metro who had been going to a public school that was closer to them?

Mr. Zupancic: Yes.

Mr. Bernier: I have a couple of questions. The presentation is very heavy with statistics. I am just wondering if you have any comments or dissatisfaction with Bill 30 as it is presently written, or with some of the sections of it, i.e., access or tenure for teachers. You make no comment about that. It seems you are accepting the bill the way it is.

Ms. Pelliccione: We are in a unique situation in York region. Because of our tremendous growth, when we sat and had meetings with the public school board, we realized it was requesting allocations for schools from the government just as we are. Looking at the projections, it is going to be asking for a number of public high schools. Therefore, it realizes, as we do, it will not have designated high school teachers.

Also because of our growth, our schools are so crowded it is not likely we would have many non-Catholic students. That is not to say we would not accept them. As Mr. Zupancic said, we have non-Catholic students. York region has excellent programs we do not offer as yet. It has excellent facilities. It is also an exceptional board. For that reason we are not going to experience great difficulty.

Mr. Ryan: We do have a concern about the transfer provisions of surplus staff, although this will not directly affect our region because we are both growing. We, as Catholic trustees, would prefer to see some provision in the bill—without denying our responsibility—to ensure employment for people who are displaced from the public system.

We would like to see some provision to allow that responsibility to be discharged through some type of voluntary transfer system. For example, if a public board determines that 20 teachers are going to be redundant in the public system, we would like some procedure where we could see if there were 20 teachers in the public system who were willing to transfer, who might feel more comfortable working in a Catholic environment.

These would not necessarily be Roman Catholics, but there may be Christians or Jews or people of other religions who may prefer working in a religiously-oriented school. There might be members of the staff who are ready for departmental responsibilities but for whom there is not that opportunity; they may be ready for more responsibility but they are not on the eligibility list for transfers. We would like to see some provision where a voluntary transfer would satisfy the obligation we recognize to ensure employment for people who are discharged. That is one of the things we dislike about the bill.

Mr. Bernier: Do you have any problem with the 10-year time period?

Mr. Ryan: The 10 years? No. In our area, we do not have any problems at all because both our boards are growing so fast. We recognize this will be a transition period. We have to look at the kids going into grade school now who, by that time, will be going through their high school career. Ten years seems to be a reasonable period to allow the settling down of any possible displacements.

Mr. Bernier: I noticed in your brief you mentioned you hired an additional 64 secondary school teachers, who are all Roman Catholic. How many non-Roman Catholic teachers do you have in the system?

Ms. Pelliccione: We have nine teachers and one consultant. I would like to mention, if I could, that when we were interviewing for this consultant, it was not known right off the bat that this was a non-Catholic person. It became evident during the interviews that this was best person for the job and she was hired.

Mr. Bernier: When you hired the 64, were there additional ones who applied who were non-Catholic?

Mr. Zupancic: There are about 2,000 applications altogether on file. It is a tremendous job just to keep them current. We do a lot of our hiring from faculties of education. We try to balance out the staff. About 50 per cent are hired from faculties. I am not certain about the statistics regarding that, but usually non-Catholic teachers do not apply to separate school boards: salaries are lower and workloads are higher.

Mr. Ryan: I may point out in response to that question that a public coterminous board was also hiring during the same period. They were opening a brand new high school which hired well in excess of 100 new high school teachers, plus the growth in other areas, so non-Catholic teachers who wanted to work in that area would

automatically apply to that system. They would get paid better, too.

Mr. Chairman: I have a number of people on the list, so if people could be brief with their questions. I have four of you at the moment.

Mr. Davis: Thank you. I will be as brief as I can.

In your map of the proposed future schools, would I be correct in saying that the public board would want to be building schools in roughly the same geographical areas because of the population explosion?

Mr. Zupancic: My understanding is that they have three on their list within the next six years.

Mr. Davis: In the same geographic location?

Mr. Zupancic: Yes, the growth is across the bottom and up this side.

Mr. Davis: Can I then follow up with this question? Understanding that the Minister of Education has indicated that there is not going to be large capital funds available for building your schools, would you entertain the possibility of entering some kind of agreement with your coterminous public board where you build one school that has a lot of common area together—I think of shops and libraries and so on—and share the building in order that you may conserve building capital?

Ms. Pelliccione: Just as an example, I was at the opening of the high school in Unionville and—not through any fault of their own because we have been in that situation—they were overwhelmed by the number of students they had there. It is not likely that they are going to be opening schools and have space. They are already full.

3:20 p.m.

Mr. Davis: You misunderstood me. In these areas, these are future schools you are going to build. Your director has indicated that in those same areas the public board is going to have to build accommodation as well.

What I am saying is, could the two boards get together and build a composite school in which you share common areas, such as libraries and technical shops? I do not have any vision right away of the kind of building you would have. It would be one building housing both school jurisdictions but it would enable capital money to be released to build. Would you entertain that kind of notion?

Ms. Pelliccione: That would be a very large school.

Mr. Davis: How many people do you have in your school now?

Ms. Pelliccione: About 1,500.

Mr. Davis: So the school might have 3,000. I can tell you, in the 1950s, school jurisdictions across this province had populations of 2,500 in some of the large urban areas.

Ms. Pelliccione: I believe probably both boards would agree they do not want schools of that size, though.

Mr. Davis: Let me ask you a question then. Would you prefer to have a school of 2,500 to 3,000 in a building or one of 1,500 in portables?

Ms. Pelliccione: We have had that for many years.

Mr. Davis: However, I asked which you would prefer.

Ms. Pelliccione: Portables, as we have had in the past.

Mr. Davis: My second question is to the director—

Mr. Allen: Can I have a quick supplementary on that?

Mr. Chairman: No, you are up next.

Mr. Davis: On the new plans of the planning and implementation commission, do you have any concerns with the new directions it has taken?

Ms. Pelliccione: I am sorry, I am not sure I understand.

Mr. Davis: I am referring to the new September 16 directive for the planning and implementation for the second year of the extension of funding. As director, do you have any concerns with those new thrusts you have seen which are different from the original ones, in some areas different from Bill 30?

Mr. Zupancic: I have just seen the package. Actually, my staff is working on that and it has not gone to our committee yet. I really cannot answer that question.

Mr. Davis: Would it be fair, Mr. Chairman, as you did yesterday, to ask the York board, when it makes those factors known, to send it to you so we could see if it has concerns?

Ms. Pelliccione: Could I just point out one other thing, with respect to portables? Brother André school in Markham is an Eldale. I know it is not portable accommodation per se, it is a very good structure. What we are asking for at this time—in fact, we have a meeting with the minister—is more of that type of buildings because we are in such a crisis.

Mr. Davis: He is not going to give them to you.

Mr. Chairman: Is that like a port-a-pack?

Ms. Pelliccione: It is an Eldale.

Mr. Zupancic: It is a kind of building you can put up in a hurry. It is prefabricated rather than bricks and mortar.

Mr. Davis, there is one part I do not understand. My understanding is that no new money was going to be provided for the extension question, but surely for growth in an area, we are still going to get high schools, both public and separate.

Mr. Davis: I am not the Minister of Education.

Mr. Chairman: However, you are correct that is a separate policy from the question of transfer, absolutely. The answer would be given by the person who sometimes sits in the chair next to me.

Mr. Ryan: Could I just comment on Mr. Davis' question?

Mr. Chairman: I would rather you try to work it into something else. I would like to get everybody on.

Mr. Jackson: Very quickly to the director, what is the current status of the five-year capital forecast you have submitted to the ministry? What, if any, response did you get from the planning and implementation commission or the ministry as part of your first-year plan as it addresses capital needs?

Mr. Zupancic: First, the board has passed a capital forecast for the elementary and then for senior elementary, there are no secondary schools at this time, there is no legislation for that. So we have passed schools for both areas. It is a horrendous figure. We need 11 elementary projects now, just because of the growth for the secondary area. In grades nine and 10 particularly, we need four additions right away just to house the students. I have forgotten the last question.

Mr. Jackson: The context in which the planning and implementation commission responded to your submission.

Mr. Zupancic: Last year?

Mr. Jackson: Yes.

Mr. Zupancic: Last year it was satisfied that we added portables. This year it would be very difficult to add them. We have added 14 or 15 portables to each of the high schools. If we add another 14 or 15, it is going to be difficult to add other facilities, gyms and so on.

Regarding the other matter, we are having difficulty because the ministry people say capital is not their jurisdiction and the commission tells us it is not its jurisdiction. Everything is falling between the cracks.

Mr. Jackson: That was the point I raised yesterday where I brought evidence of the two clauses, where the separate boards are being told to direct capital needs to both. We have a rather serious matter here. I would appreciate a response from your board, once you read and absorb the directive from the planning and implementation commission, on how there are some changes to your capital requirement.

Mr. Chairman: Do you mean you would like the one that is coming to the committee? You would welcome that?

Mr. Jackson: Absolutely, yes.

Mr. Chairman: I thought you meant an extra one.

Mr. Allen: Likewise, I am interested to hear that response because yesterday we were looking at some clauses in the commission guidelines for 1976 which seemed to put in some rather contradictory qualifications with regard to capital facilities.

On the one hand, there had to be space available for all students and, on the other hand, there was not going to be capital for new buildings in any extensive fashion and there would also be limitations on the amount of money available for portables. That seemed to put people in a hopelessly impossible situation. We did put that to them yesterday, and I understand they are trying to rework that guideline to clarify the situation. I hope we all get some clarity out of it.

Could I just ask you a question that has not been asked to date? With all this expansion going on, are there developing joint board structures for dealing with both contingencies and long-term issues affecting both boards where there might be common delivery of service to everybody's benefit?

Ms. Pelliccione: There are a number of things. I will just mention one or two and then I would like Mr. Zupancic to add to them.

We have had meetings with the public board and we want to do a lot more in that area. One thing we have begun to talk about and actually acted upon is transportation. That is not programs, but it is a beginning. We have many students going to the public school board now. We have been purchasing services from them.

Mr. Zupancic: We may not agree with the two directors in the York Region Board of Education on extension, but we do agree that we need more buildings and so on. We rent the three empty public schools the public school board has right now. There is no other space at all. I do not know whether that answers your question.

Mr. Allen: Partly, although it does not address the main thrust of the question as to whether there is any sort of standing joint committee which reviews common developments with an eye to joint action in providing that service for both systems through a common vehicle. Perhaps I could add also that if there is no such committee, would you have any problem with Bill 30 mandating that kind of a committee just to ensure those considerations continue to be at the forefront in your developing problem on both sides?

Ms. Pelliccione: No. The director and I talked about this days ago and on the way down. We wanted to get in touch with the chairman of the board and the director of education because we realize we could be doing more in this area and we intend to. When we have met in the last year and a half with the public school board, it has come up over and over again.

Mr. Zupancic: We are in contact with the two directors quite regularly on the telephone regarding problems. They have sold us a site we needed and so on. These things are not difficult to work out.

Mr. Allen: We found a lot of that kind of consultation on a regular basis between directors, by the way, and it is very encouraging.

3:30 p.m.

Mr. Ryan: Mr. Allen, particularly in the area of special education, we recognize that the needs of some of these children are so unique that we will not be able to develop parallel programs for them. We are going to have to get together, which we do in some cases now. We would not have any problem with this being mandated. It is now an informal process. If it is mandated, that is no problem. I think we are going to have to do that in some of the unique programs.

Mr. Allen: I will take that question and back into what Mr. Davis was asking. I will not phrase it in regard to a common school, but phrase it in regard possibly to a common technical complex in one or two parts of your jurisdiction, so that you would have the best possible facilities, which are immensely expensive, especially when you go down the road and have to renew,

replace and keep up with the pace of technological development.

Can you foresee a model development whereby you might have two or three or four of your high schools positioned in such a way as to access, from public and separate sides, a technical complex you would all use together?

Mr. Ryan: My counterpart on the public board has been looking into that because in the region of York there are a lot of technological companies and perhaps we could draw on some of their resources. It is the type of thing where you may have a very sophisticated computer centre which you just cannot justify. You would have to have a large draw of students from multiple areas. That is the type of thing you can work out.

The only concern of the Catholic community is that there is some Catholic organization. Whether it is a wing of a building or a small classroom building on one side, a public school on the other and a technological centre in the middle, that is fine; there would be a shared facility. Those are all things we can work out because some of the technological needs of our students in the future are going to have to be done on a region-wide basis.

Ms. Pelliccione: I do not feel we have discussed it enough. I was not trying to hedge Mr. Davis's question, but we have discussed it and this is something we need to look at more. Right now we send many of our students to Don Head Secondary School because we do not have that type of facility and we realize we cannot repeat the same thing in the same area. We are aware of that.

Mr. Allen: I think we in this committee appreciate some of your concerns about being locked into a single building and you do have a concern about distinctiveness of programming and ambience and so on. That is the language of sharing a school; it is a different question to sharing certain kinds of facilities.

Mr. Chairman: Mr. Ryan, were you able to work in the comments you wanted to make to Mr. Davis?

Mr. Ryan: I just wanted to say we are willing to share. We have shared in some minor ways, such as transportation, which Ms. Pelliccione spoke about. I do not think we are as specific as he was suggesting with respect to anything very sophisticated yet, but I think that is going to come.

Mr. Chairman: We have not seen many models such as this developed around the

province. We have learned about only one in a much smaller community, just a couple of days ago, actually.

Mr. Reyecraft, besides any promises you want to make at this point in regard to buildings, do you have some questions?

Mr. Reyecraft: Not today, Mr. Chairman. My question was just a brief supplementary to Mr. Bernier's line of questioning about the new teachers who were hired. I am a little surprised to hear that with 2,000 applications for 64 positions, six of the people who were hired were from outside the province. I am curious about where they are from and why you made that choice?

Mr. Zupancic: We are getting a lot of applications from the Montreal area, from people who are leaving Quebec and coming to Ontario. Some of these people have been raised in Ontario and have gone there to work and now are coming back. They get a letter of standing from the province, which makes them eligible for appointment, and they meet the specific specialty. It is very difficult to find specifically qualified teachers, especially in math and science. We are having a terrible time right now trying to find a qualified math teacher.

Mr. Allen: I had difficulty seeing one throughout my whole high school career. That is why I kept failing. It had nothing to do with my capacity; it must have been that.

Mr. Chairman: I am sure the responsibility was here in this chair.

Mr. Ryan: The vast majority of them are recent graduates. Anyone with experience, for which we have a desperate need in a growing system, is going to get some type of preference, as in the area of math, but experienced people are needed in a growing system.

Mr. Chairman: Thank you, Mr. Zupancic, Ms. Pelliccione and Mr. Ryan, for coming down today and sharing your problems and growth with us. It is a unique problem which we do not see a great deal of.

Ms. Pelliccione: Could I make a closing remark?

Mr. Chairman: Certainly. Please go ahead.

Ms. Pelliccione: Unlike the previous speakers, we do not believe Bill 30 is a fait accompli, but we do have an expectation, as all the people in our community do. More important, we have a hope that this will become a reality. Thank you.

Mr. Chairman: As with the previous presenters, we hear from both sides of the issue with the same kind of eloquence.

Our next presenter is Mr. McGuinty from Ottawa. Mr. McGuinty is another trustee from the Ottawa board. We must have had almost the entire board before us now in one way or another, I think, either with individual presentations or on behalf of the board. We welcome you to Toronto.

MR. DALTON J. MCGUINTY
TRUSTEE, OTTAWA BOARD
OF EDUCATION

Mr. McGuinty: Mr. Chairman. I was aware of only one other trustee from the Ottawa board who appeared in addition to our chairman, who presented our formal brief, or possibly two, but I am delighted to hear that.

Mr. Chairman: There were at least three or four; it was an interesting brief. As you know, we have half an hour and this is a good lengthy one. As a matter of fact, it is almost as interesting as your biography. No offence intended. However, how would you like to take us through it?

Mr. McGuinty: First of all, I want to offer the standard expression of appreciation to the committee. I guess you find yourselves in a situation we have all found ourselves in towards the end of a political campaign. When you go to high-rise apartments and invite people down to the lunch room, you end up speaking to two or three of them. Nevertheless, you go there not because of the seeds you are sowing, but because you neutralize those who choose not to show. Perhaps you are in the same boat at this time.

You alluded to the length of my brief and I apologize for that. I guess it is the same reason Chesterton would offer. I simply did not have time to prepare a short brief.

I think there are 15 or 20 crisp pages here, which could be summarized, and I intend to do so in the future. I will tell you why it is long. It is wordy, convoluted and repetitive because until very recently I had no intention of presenting a brief. Notwithstanding the fact that I spent well over 30 years deeply immersed and involved in Catholic education, it occurred to me that all the possible questions would be posed and all the proper answers would be given.

However, during the past four or five months in Ottawa as an elected trustee of the Ottawa Board of Education, I have been very deeply involved in the matter of school reorganization and school closure. I have been surprised, hurt and amazed at some of the misconceptions that have arisen, because the matters of school reorganization and closure have dragged with them on occasion, the question of separate school extension.

I am still quite amazed by what I would refer to respectfully as a colossal ignorance which still prevails in Ontario. That is why I prepared this brief on the run and why it is still disordered.

I draw your attention to the appendices first of all. I think appendix A is significant. I want to put on the table at the outset that I am a product of separate schools. You should therefore evaluate what I have to say accordingly. I have been a product of that alleged religious indoctrination which closes the minds of children and which fails to develop the ability to think critically and that long litany of laments we have had promulgated throughout the province in recent months.

Second, appendix B is a formal address that I delivered 17 years ago. I respectfully suggest that in terms of a philosophy of Catholic education and Christian education which it outlines and the bibliography and the timeliness of it, looking at it as the question was dealt with at that time, I think it is relevant.

3:40 p.m.

Appendix C deals with the question of alternative and independent schools, not because it is my aim at this time to make a brief on their behalf, but because I find it is a matter of conscience. I have supported that movement, an idea whose time has come all over North America, for the last 25 years. I feel in conscience an obligation at least to refer in passing to the fact that many of the principles which endorse and support the extension of Catholic education do apply to alternative schools as well.

I would ask you to read appendices B and C simply on the basis that there is nothing worse than a fine piece of writing that is not read. I will skim through this massive tome, skipping over it to pinpoint the highlights. I hope I will not go beyond the 39 minutes that Trustee Dobell was allocated or the 42 minutes that my colleague, who is not even a trustee but a member of our vocational advisory committee, Ms. Nielsen-Addison, was allocated when she appeared before the committee.

Mr. Chairman: You will be kept to the number of minutes I decide upon, sir, which will be at least 30. You may proceed.

Mr. McGuinty: Thank you, Mr. Chairman. That elbow was not intended to provoke a heated reaction on your part.

Mr. Chairman: Continue on.

Mr. McGuinty: We are very sensitive to affirmative action in Ottawa. We are very much

conversant with the need for equality among the sexes. I am a firm believer that it is time that men were treated as equals.

First, a few words about my own background. It does not give any argument from authority, but I have spent some time involved in education, some 31 years as a classroom teacher. I was involved very extensively in the matter of extension, long before it came to a head, as chairman of various lay advisory boards and various committees to raise funds and as a speaker on behalf of extension. During that time as well, I presided over the extermination of three local Catholic high schools.

When I raised my 10 children on a teacher's salary and when my father raised his six children on the salary of a labourer who was the first generation off the farm, in my experience, Catholic schools were not properly appreciated. For much of my life I did not have much respect for a government which treated Catholics in this province in that way.

Whether the change in policy has been brought about by a conversion on the road to Brampton or as a result of demographic studies, I do not know, but Catholics in Ontario are appreciative of it and we are very much concerned about some of the misconceptions that have arisen.

In my limited experience in politics, the man to whom the word "gentleman" can best be applied was John Robarts. It was in 1963 that he said the matter of Catholic high schools should be discussed without creating ill will, rancour or bitterness among the various groups in our province. Proposals made in good faith can be discussed and can be determined in good faith. Indeed, back in 1963 and 1968 and for years past, that is the atmosphere I experienced when this matter was discussed.

What we are dealing with now is not an imposed edict as has been alluded to by some people in this province who should know better. Rather, we are dealing with the end result of an evolution that has taken place over time, approximately 45 or 50 years and, prior to that, another 50 years. It is passing strange that some people in this province who should know better, people in positions of authority, ecclesiastics, should speak of this as an overnight, imposed edict, ruthlessly imposed upon the people of Ontario. May God forgive those who have broadcast that idea and inflamed many well-meaning citizens, certainly in the Ottawa community.

Just in passing, regarding the legal challenge, I initiated a motion at the board in Ottawa which

would enjoin the Ontario government to ensure that the constitutional validity of Bill 30 was guaranteed. Why?

First, if there are people in Ontario who have reservations in that regard, those reservations must be allayed. They are going to be called upon to involve themselves constructively in the implementation of extension and they have a perfect right.

Secondly, Catholics are not a small, lunatic fringe living on the periphery of Canadian society. We have a respect for law. Society is only the name given to human behaviour when it is patterned and ordered, and law itself is surely the very pattern of society.

If the courts decide that the extension of Catholic schools is unconstitutional, we want no part of it. What we would experience is simply one more phase of an 100-years-plus tradition of alternating pieces of legislation, sometimes helpful, sometimes beneficial, all the way back to Egerton Ryerson. He said that the existence of Catholic schools is inexpedient and regrettable, but perhaps if you leave them alone, they will be phased out on their own through obstacles they will encounter.

In this perspective, the legal challenge to extension should not be wrongly seen, neither with pessimism by those who favour extension, nor with satisfaction by those who do not. Separate schools will not die. You cannot kill an idea by closing schools.

There have been a lot of critics. I will not enumerate them all. I have read briefs by the seven Metropolitan boards, by the Metropolitan Toronto School Board, by the Ontario Secondary School Teachers' Federation, by the Coalition for Public Education, by the Loyal Orange Lodge Association. It seems to me this committee and this government should take action on the basis of the criticisms.

There is a litany of laments to the effect that public funding of Catholic schools would be contrary to certain fundamental principles of education, that it would support merely sectarian interests antithetical to the general goals of education in a pluralist society, and that it would impose religious indoctrination and fail to develop the ability of young people to think critically. The choicest one of all, from the metropolitan board, says that extension of funding is based on a principle socially and educationally mistaken, contributes to the segregation of communities, creates needless duplication and damage which will long outlive the present generation, develops unfriendly and

intolerant relationships, sanctions isolation, makes for the fragmentation of education, effectively shatters Ontario's respected public school system, and so forth.

The Coalition for Public Education, incidentally, has fouled the otherwise discreet decorum of your meeting room today by handbill hand-outs. This is something we would not tolerate in the boardroom at the Ottawa Board of Education.

The Coalition for Public Education—I cannot find out what it is because it does not respond to its correspondence—is a group apparently preserving the high quality and the tradition of excellence, the implication being that if extension were granted that excellence would be impaired. It says the extension of funding would foster intolerance. It actually says in its handouts that systems should hire and fire employees on the basis of religion, marital status and lifestyle. It actually says that.

The Orange Lodge Association quotes an authority, a priest who one time said, "The religious teaching in the Catholic schools is to direct children towards the priesthood." Then it goes on to say that statistics do not show that products of separate schools are better morally or more law-abiding than those of the public school system. Therefore, why in hell should you have separate schools?

These are the charges that are made. Even the Association of Large School Boards in Ontario, in an otherwise moderate, expurgated brief, states that the purpose of public education in Ontario is to lead to an understanding of divergent views and the public school system is the only system that can lead to an acceptance of personal responsibility, an esteem for the customs and cultures and beliefs in societal groups and instil values related to person.

3:50 p.m.

On what evidence? I ask you, what evidence is cited in any of these briefs? I would be very happy to debate with any members of any of these associations anywhere, anyplace, at any time. I ask them, principally the Metropolitan Toronto School Board and the Ontario Secondary School Teachers' Federation, please do not send a boy to do a man's job.

I would ask respectfully, what authority do they cite on behalf of those obligations? Are there polls, questionnaires, surveys? Is there hard evidence of any kind? What do we have in the Toronto briefs? We have an argument from authority. What authority? The authority of the directors of education of the metropolitan area.

What is the one authority that the Metropolitan Toronto School Board cites? It is Humpty Dumpty. If he falls off the wall, you break the egg. Even that turns upon them. What the hell, if you make an omelette, you have to crack the egg.

What authority does the metropolitan board cite? The authority of an encyclopaedic-minded, pedagogical, philosophical, theological expert Globe and Mail reporter who on the basis of his constant attitude should disassociate from this because of a conflict of interest. Clearly, his only interest is in conflict.

As a parent, I resent that. As a Catholic teacher, I resent that. It seems to be that in North America, and this has been well-cited previously in the United States, you can curse God, the church, the farm, the flag, defy the Constitution, call the local police pigs but, by God, do not lift your finger against the public school system. Then you have a tiger by the tail, and that is what we have.

I resent this because these are myths. They are not lies so much, but myths, misconceptions that are misleading, inflammatory, and lead to social unrest around us.

My sons, who came with me today as observers, devote a lot of time to legal aid in their struggling law firm or devote their time volunteering to speak in local high schools. They do not say, "Is that defendant a Catholic?" or "I only go to a Catholic school." My daughter is a social worker with the street kids of Vancouver. She does not say, "Is that teen-age prostitute a Catholic?"

My daughter devotes her time to teaching the retarded. My son just returned from Thailand after three months of working in the killing fields. I said to him the other day: "How come you have an esteem for the customs and cultures and beliefs of a wide variety of societal groups? You were educated in separate schools." He said, "What the hell are you talking about?"

That is very unfortunate and I do not think that kind of unreasonable, unsubstantiated charge should be allowed to go by unanswered. This committee has an obligation to make a recommendation that some kind of survey or study be made because the real question is not the growth and extension of Catholic schools. The real question is whether or not they should be allowed to operate at any level if this is the harmful influence they have been wielding.

I speak on the basis of 13 years' experience as a trustee on a public board of education. I must tell you, just in passing, when I first went out to that board it was in a mood of bitchy belliger-

ence, because in my day, to be a Catholic in Ottawa in the school system was to be a kind of second-class citizen.

I can recall when the Ottawa separate school health care program consisted of a free dose of cod liver oil. We attended outdated fire traps when the public school kids had fine buildings. We had to grovel and buy our own scribbles when they were given ink scribbles, as we used to call them, to write on even in pencil. That was my attitude.

What have I found in 13 years? I have found a public school system in which there is integrity, honesty, goodwill and a scrupulous concern for the rights of people and a marvellous heroic effort to do what is best for the people in that system. I am filled with admiration for that system and I am very much concerned lest, as a fallout effect of extension, predictable or not, any harmful results accrue to that public system.

At the same time, I am very sympathetic to the Catholic school system and the reason behind it. Why? Because it is the only school system in this province which is theologically oriented and which has a constitutional right to assert itself in that way.

In the Ottawa area, I have expressed an idea repeatedly to my colleagues on the public board as we have negotiated—and I must say negotiated very effectively—with the separate school board on matters of staffing. It is this: when dealing with the separate school board we are not dealing with a poor relation; we are, rather, assuming co-responsibility for the totality of educational needs in our community and we do that in a responsible way. That is the tenor of relations that can exist between boards in this province.

I would address myself to a number of implications of extension. First, staffing. When I first read Bill 30, my immediate reaction was, let us not be carried away by the euphoria of extension that I have been working for for 35 years. Why? It seems to me that to assert and recognize, in the practical order, the right of someone to have a school system with a distinctive mission and then to infringe upon the right of that body to have control over a most sensitive area in that system, such as staffing, is a dubious boon.

Fortunately I thought about that a great deal and talked about it. I have concluded that I have an implicit faith in the teachers in the public school system. For 31 years I taught many of them. I am proud to say that most of the department chairmen of English in the Ottawa area are my former students. I have an implicit

faith that these teachers coming voluntarily into the separate school system, regardless of their beliefs, once they are made aware of what is the distinctive mission of that system, will act in a way accordingly, sympathetically too.

The idea of a religious test of teachers coming into the Catholic schools is repugnant. I find it an embarrassment. The implication being that as long as somebody has a letter from the parish priest—it is something like the dangers of censorship. The real danger of censorship is the assumption that that which is not censored is harmless. It is utter presumption and pride for any Catholic school board to say that non-Catholic teachers coming in must be somehow screened in terms of a narrow religious test.

If I were hiring teachers for the public system, in addition to purely academic qualifications, I would want to know if they were sympathetic to the goals of that system. I would tell them, for example, that they will be dealing with the children of secularists, atheists, Hindus, Jewish people or Catholics; that they have to be sensitive to the feelings and views of those children and their parents. But if the teacher said, "No, I am not. I have my beliefs and I am going to get them across no matter what the hell you think," I would say, "Out." Is that discrimination? You are damned right it is discrimination.

If I were hiring teachers for the separate school system, I would ask the same question. "Are you aware of the distinctive role of the separate school system? While you may not contribute to it positively by virtue of your Catholicism, are you aware of your obligation at least to refrain...?" If that teacher does not or if the realm of experience proves he did not, that would be valid grounds.

"Discrimination" is one of these words like "racism." They are thrown around a great deal. Discrimination is selection in the light of just standards. This selection and screening of staff coming in, not in terms of a narrow religious standard, is something that even those who are concerned about duplication should be cognizant of because if the teachers were not screened in this way, who knows what you might very well end up with.

Apart from that, I think in simple justice, as my Irish mother would say if she were alive today—she would roll over in her grave—she would say simply, "Any school system that expands on the backs of good teachers being displaced and put out of work will have no luck." I, for one, want no part of it.

4 p.m.

On the matter of programs, my colleagues, trustee Jane Dobell and others, have spoken but I would draw your attention to something I have not been able to reconcile. It seems to me that Catholic school boards are damned if they do and damned if they do not. In the OSSTF brief, the Metropolitan Toronto brief, they are castigated if they do not offer all the programs. On the other hand, they are blamed for needless duplication. It seems to me that Catholic school boards, as responsible citizens, have an obligation not to duplicate programs.

My public board, to which I have a great allegiance of more than 13 years, has built up a continuing education program in a heroic way. I will be damned if I am going to tolerate a local Catholic separate school board, to which I also have allegiance, duplicating that program if it would make ours less viable. I think that is irresponsibility on their part. Catholics with the right to extend also have a corresponding obligation and responsibility to recognize that duplication, where not warranted, should be avoided.

I admit I have attended a lot of meetings. After all, on November 12 I am dependent upon Catholic ratepayers to vote me in. I spend a lot of time with them; some of my best friends are Catholics. Catholics are not looking for an overnight expansion into all areas. I have met with hundreds of people and I have given at least a thousand speeches over the last 35 years. What do Catholics want at the meetings we had in the last four months? They want the rocks taken out of the parking lot. "Could we have some curtains? Could we have some books for the library?"

They are not rushing around trying to have expensive programs duplicated overnight. It took 50 years for our local Catholic high schools to evolve, develop, assume personalities and a position in the community. We cannot have them arise again overnight, phoenix-like from their own ashes.

We want to make a distinction, and your committee has surveillance over this, between Catholic people and Catholic trustees and administrators. The empire-building instinct is there in administrators who want bodies and buildings and programs and teachers. That has to be stifled and it is an obligation of Catholic trustees to ensure that they call the shots in that regard.

Regarding accessibility, this is really something that bothers me. This is an area in which there is colossal misunderstanding. I would ask

the question of my Catholic colleagues in Ontario: "Is the atmosphere of the Catholic school system in Ontario so precarious that it cannot suffer the influx of non-Catholic students? Have we come to that?"

I am concerned about a reference in Bill 30 which limits the access of non-Catholics subject to the limitation of space being available. Not because it lets kids in, but because it justifies keeping kids out.

I think the Catholic schools in this province should be truly public, supported by public funds, serving the public good and open to the public, that part of the public which is aware of what is the distinctive role of that school system.

There is another part of this colossal misconception and you see it even in documents from the planning and implementation commission where it says, "The non-Roman Catholic pupil who attends a separate secondary school because it is defensibly more accessible or in order to obtain certain courses or programs shall on the request of a parent be exempted from religious education and the sacraments."

There is a pedagogical principle and a theological truth which is as old as the fathers of the church and as new as the Second Vatican Council. It is that the teaching of religion or courses in religious instruction may have very little, if anything, to do with religious education. I would admit frankly, as one who went through Catholic schools, that too frequently the teaching of religion was handed over to those who could not do anything else, the incompetents.

If the Catholic school system has a mission and is really working towards that mission, it does it by means other than simply having courses in religious instruction. The Catholic school is a community in which Christianity is perceptibly present and effectively operative. It infiltrates and conditions the selection and the interpretation of material, be it literature, economics, the democratic idea, physics or chemistry.

I think it really is a bit of a misleading misconception if we tell non-Catholic people: "Your child can come to the Catholic school and be exempt from religious instruction. Do not worry, the child will not be influenced by religious education." If that is the state of affairs, I respectfully suggest that the Catholic schools are failing in their mission.

If the Catholic school system turns in upon itself and justifies itself only on historical grounds with a kind of defensiveness, an inner-directed, smug ghetto complex, it will fail

to exert the kind of influence it should wield for good over our society.

I have an office uptown; Thumper Macdonald was on the 12th floor. I happened to become familiar along the way with his commission on free trade. I was struck with many analogies with what his commission recommends.

I am going through my brief very quickly, up to pages 48, 49 and 50. The time is fleeting and so am I. I thought I was going to be on camera; I rented this suit, and I have to have it back by 5 p.m.

Mr. Chairman: We will have somebody in to take pictures, if you like, before you go home.

Mr. McGuinty: Mr. Macdonald speaks of having made a leap of faith. Some Catholics have to make a leap of faith too. They have to drag themselves kicking and screaming into the latter part of the 20th century and get away from the concept of the school and the role of the school as that role was served in times past. I do provide there a little historical résumé, which gives a background for that.

Macdonald says, "We must let go of rigid support systems and protective mechanisms built up over such a long period that they become second nature." Rigid systems which say the teachers and the kids have to be Catholic are narrow and isolationist. That concept should be as dead as the dodo. It also, incidentally, disarms those who say Catholic schools want to be exclusive and ghetto-complexed. That has obvious implications regarding welcoming teachers from the public system who have so much to offer by virtue of their variety of experience and the healthy competition that will evolve.

"Rely on flexibility of markets and on policies that facilitate competition and adjustment." Likewise, the Catholic school system must go out, welcome the new market with open arms and bring people in. It should not do so just because there is room. The Association of Large School Boards in Ontario rightly pinpoints the kind of can-of-worms quibbling that leads to.

There is also predictable opposition by self-serving union leaders who fight free trade. I am afraid, with all due respect to union leaders in this province, the Ontario Secondary School Teachers' Federation, in spite of its breast-beating profession of concern for our human rights and discrimination, has been less than constructive in the influence it has wielded. I find a sad dichotomy between the written sense of its brief and the inflammatory remarks about discrimination that have been widely promulgated.

Finally, I would be remiss if I did not take advantage of another couple of minutes to make a couple of remarks about a homogeneous French-language board in the Ottawa area.

Sometimes I get the feeling, and I say this with all due respect, that Toronto is 2,000 miles away. Some of my best friends happen to be in the Legislature, from all parties. I wish the member for Ottawa Centre (Ms. Gigantes) were here today, although I have no affinity with that party.

I think the previous government of Ontario had a pattern of foot-dragging and a less than enthusiastic recognition of Ontario francophones' just demands. Whatever one can say about the francophone board, the fact is that the francophone people want their own board.

4:10 p.m.

I grew up in Ottawa. Thirteen months from now, according to the minister, I am mercifully going to have to retire from public life when my role on this public board is abolished. My key platform is to try to stem the tragic waste of human resources that we have in the fallout of people from our secondary program. Among the francophone people in my area, it is truly tragic.

The francophone people have a perfect right to schools administered by people who speak their language, who are immersed in their culture and who are understanding, responsive and sympathetic. Our board, the Ottawa Board of Education, has dealt very effectively with the needs of our francophone colleagues in the community. We can look back upon that with pride. We look forward with hope to co-operating in every way to assist with the development of a francophone board.

In closing, I simply say, as I have said many times over the 30 years when people are faced with taking assistance from government agencies, what King Lear would say, "Nothing comes of nothing." He who pays the piper calls the tune, even if he knows not a damned thing about music.

The Metropolitan Separate School Board appropriately, given the childish tone of its brief, quotes Humpty Dumpty. I quote James Wreford: "In that tempered climate we live (smiling, but holding a handy knife)..." I admonish Catholic people in the province to enter this in a feeling of co-operation, in hopefulness and goodwill, but to be on guard because of some of the very unfortunate misconceptions that prevail widely.

We will do this with courtesy and in the spirit of St. Augustine. It is in this spirit that Catholics would operate as co-operative partners with the public school system of Ontario to make a

contribution to the wellbeing of all people in Ontario. I thank you for your indulgence.

Mr. Chairman: Thank you for a colourful and provocative presentation. I am tempted to ask, from the tomes you left us, if you did much teaching of the art of the précis while you were teaching English, but that would be a little flippant of me.

Mr. McGuinty: I impose that upon others but have scrupulously avoided it myself.

Mr. Chairman: We appreciated your time before us. Thank you very much.

Our next presenters are the Ontario Secondary School Teachers' Federation, District 17. This is item 837, a very substantial brief as well. Perhaps after you introduce yourself to us—I have only one name.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION,
DISTRICT 17

Ms. Tindall: I am Bev Tindall, president of District 17. I am accompanied by Barb Glass, who is our previous chief negotiator and who has been very active in the board's affirmative action policy, which we will refer to in our brief. Barb is going to begin by giving you some of the statistics about Durham region and the impact we anticipate on staffing numbers. I will continue, when she is finished with that, by looking at the implications of Bill 30 for our staffing procedures. Both of us will answer questions afterwards.

Ms. Glass: I would like to begin by thanking the members of the standing committee on social development for allowing us to express our concerns about Bill 30. We recognize, in making this presentation, that our arguments may echo concerns expressed previously, but we will try as much as possible to make them specific to the Durham region.

Despite the repetitive nature, though, we must reiterate that it is our duty as secondary teachers of the public system to state publicly our opposition to the extension of funding. We believe too that it is our duty as citizens to criticize the arbitrary manner in which the extension has been accomplished.

We also state that it is our duty as members of the Ontario Secondary School Teachers' Federation to oppose the proposed legislation on the basis of our OSSTF constitution which has as two of its objects in article 3, first and foremost, the protection of its members individually and professionally in their profession and to ensure that none of the civil, human and legal rights

enjoyed by other Ontario residents shall be denied its members, and to support and promote equal opportunity for members, employees and students.

Since its inception in 1919, OSSTF has upheld the goal of free access to public secondary education for all. We believe that a public education system should not discriminate against students or employees on the basis of race, sex or creed and that hiring and promotion of employees should be based solely on merit. The curriculum should be promoted in an open, unbiased manner which promotes critical thinking. A publicly funded system should not promote one belief to the exclusion of others.

We believe that one unified secondary school system should exist in Ontario, which is adequately funded and designed to provide a wide range of educational opportunities for the youth of 1985 and beyond. It is counterproductive to the goals of today's multicultural society to extend separate school funding based on pre-confederation divisions.

District 17 of OSSTF represents 1,150 secondary school teachers in 18 high schools. We oppose Bill 30. We urge the standing committee to recommend to the government that it withdraw Bill 30.

Attached to the brief, as addenda, are two maps of the schools of the region of Durham. The reason we had to have two maps is that it is quite an extensive area, and this is part of the concern that we have. We are an area extending from the Metropolitan Toronto border to the eastern boundary of Oshawa and from Lake Ontario northward to the boundary with Simcoe county, which is a distance of approximately 70 kilometres northward. Within that area we have 14 schools in large urban centres along Highway 401 and four smaller single schools in the communities of Uxbridge, Port Perry, Brock township and Cartwright township.

Due to housing and industrial growth, we have enrolments in the south which are either growing or remaining stable. In the rural northern section, the schools have experienced some decline in enrolment. However, three of the northern schools continue to offer a full range of programs from basic level and general level to advanced level, in technical and commercial as well as academic subjects.

There are no Roman Catholic secondary schools in the north. There are two Roman Catholic separate secondary schools in Durham at present, one in Oshawa and one in Ajax. The enrolment in the public secondary system is

approximately 17,000 students, and in the Durham region Catholic secondary schools it is approximately 1,700.

Although this year we have seen no effect or a minimal effect as a result of the extension, we have a lot of concern about what the potential is. If we see separate secondary schools developed in the north of the region because of the distances to the south for travel, we are going to have a serious problem with the continuing programs in the public secondary schools, schools that already have only 600 or 700 students. If there is a shift of some of those students to Catholic secondary schools, we see a potential problem for a continued program there.

We are wondering what the enrolment shift will be in the south, and we have no way of predicting whether the overall growth will be able to counterbalance any shift. Although we have no present problem, we see a potential there for a considerable problem.

4:20 p.m.

One of the problems that will arise if we should have redundancy would be the effect on age groups of our teachers and women teachers specifically. Teachers would be declared redundant on the basis of seniority. In Durham, 57 per cent of the secondary teachers with five years' seniority or less are female. However, within the teaching complement, only 35 per cent of the seven new teachers are women. Therefore, if you consider the first five years of teaching to indicate those who would be vulnerable to being designated, it would be 37 per cent of all the women secondary teachers as opposed to just 16 per cent of the male teachers.

The women under 30 years of age in the teaching complement comprise 25.5 per cent of all female secondary teachers, yet only 7.9 per cent of our male colleagues are in that category. We fear that if the funding is extended to secondary schools, it would have the potential to deprive the female students in our public secondary schools of women role models, particularly in the so-called nontraditional subject fields of mathematics and science where many of the new teachers have been hired.

We see this as being in direct contradiction to the affirmative action policy for boards of education which was implemented this September in Durham. We have received government funding to assist in paying the salary of an affirmative action co-ordinator, whose job will be to implement a plan to ensure equal opportunity for all women employees and to try to rule out systemic discrimination in promotion. However,

if the funding of separate secondary schools results in a decrease in the positions of responsibility within Durham, as we predict it will, there will not be any opportunities for promotion. How can there be promotion for women when there is no promotion possible at all? We see that affirmative actions plan cannot succeed.

We would suggest that one way to overcome this would be to make alterations to the Superannuation Adjustment Benefits Act and to make those teachers who have reached 55 years of age eligible to receive a pension without penalty. Then we would be able to keep some of the younger teachers and maintain the balance of age groups as well as that of male and female teachers.

Also, boards of education could be encouraged to provide early retirement incentive plans to compensate for any reduction in pension benefits for people who leave the profession early. We would reiterate that these have been requested by the Ontario Teachers' Federation. It is our understanding that the superannuation fund is in a good financial state, and we would hope this could be considered to allow us to retain a balance of age groups, to maintain the rate of female participation and to allow the affirmative action programs to be effective.

Ms. Tindall: I would like to present our concerns and some questions on the implications for our staffing procedures and on the transfer mechanism that has been proposed by the planning and implementation commission. We also have some questions regarding the role of the federation and the status of our collective agreements. Unfortunately, although not necessarily unfortunately, most of the rest of the presentation will be questions as we have reviewed the proposed legislation and cannot seem to find the answers to our concerns in the document.

First, we feel we must raise our concerns on discrimination because of the situation we have encountered locally. I have appended most of the pertinent correspondence which has gone between our board, the separate board and the planning and implementation commission. We have not had a great deal of co-operation to this point.

In its initial submission to the planning and implementation commission, the Durham separate board proposed that non-Roman-Catholics applying for jobs be administered some sort of morality test to see whether their lifestyle met certain standards. The commission rejected the plan because of the discriminatory nature of this

section and the section dealing with the treatment of non-Roman-Catholic students. It was duly amended to reflect the criteria of the commission.

However the same group, in its presentation to your committee, reverted to a position of discrimination. In fact, the sole direction of its brief was to contend that it should have rights to choose only designated teachers who are sympathetic to its mission, rights to deny promotion to non-Roman-Catholic teachers and corresponding rights to discriminate against non-Roman-Catholic students.

The intransigence of the Durham separate board on this critical issue lends urgency to the need to define the word "creed" in the legislation. It appears that some boards intend to interpret creed in the most convenient sense, depending on the circumstance.

The legislation states that discrimination on the basis of creed is not allowed in "advancement of employment while in a position." Does this refer to promotion, or will "position" be interpreted in the strictest sense? If your position is that of a teacher, the only advancement possible is moving up the salary grid automatically each year. Promotion to another position is not covered, it would seem, in that wording.

Similarly, the ambiguity of other key phrases in the legislation, such as "substantially similar position," "in the best interest of the public education in Ontario" and "in good faith" is bound to generate misunderstanding and conflicting expectations.

I might point out that when we look at the transfer of nonteaching staff, we get into a real problem with "substantially similar positions." Our board keeps custodial staff with the responsibilities of carpentry, painting and so on. The separate board does not actually have employees who do those things; it hires people to do them on a contract basis. If we end up having to transfer nonteaching staff, there are no substantially similar positions in our coterminous board.

We feel that any group that addresses this committee has a reciprocal obligation to answer questions forthrightly. We were shocked then when we read Hansard to see that representatives of the Durham separate board had been unwilling here to state whether non-Roman-Catholic teachers would be required to attend religious services and activities such as retreats. Your questions on this subject were evaded with replies such as, "As an administrator, it is my responsibility to invite all staff to participate fully." We wonder whether non-Roman-Catholics will be invited

and what the consequences of declining the invitation will be.

We feel the legislation must clearly specify the expectations of non-Roman-Catholic teachers' participation in religious activities and adherence to Catholic teachings. We realize the commission's guidelines state that no extra expectations be placed on designated personnel. However, we are not reassured.

Further, we feel that regulations rather than guidelines must address all aspects of the transfer mechanism, including interviewing and the posting of job descriptions. I will try to explain how the staffing mechanism works in Durham. While it is quite a complicated process, we feel that it is efficient and serves the needs of our board.

The annual review of staffing and redeployment of teachers is complex. We rely heavily on and have had the co-operation of teachers and administrators. As you realize, secondary teachers are highly trained and highly specialized; they are not interchangeable.

In Durham, this is the way it works. After people are declared surplus in April, we have weekly job postings. Those postings change on a weekly basis as principals take in people and adjust their timetabling requirements. Although one job may be posted for a month, it may evolve from being a math job to a home economics job because people who have applied are taken into account, and the necessary shifts in the needs of the school are made.

This is left to be worked out for about a month. A joint board-teacher committee monitors the process, and when all the voluntarily fits have been made, the committee makes necessary adjustments, trying to balance the needs of the system and the rights of the teachers.

The process, as Ms. Glass has mentioned, is further complicated by distance in Durham. It is no small matter to be transferred from a school in the south to one in the north.

To this point we have not had redundancy, partly because of co-operative efforts of the parties and partly because of the fact that we hire new teachers on occasional contracts and thereby hide our redundancy. At the end of the year the contracted teachers are shuffled off and they are not eligible to be considered by our transfer policy. It is misleading to say we have not had redundancy. Officially we have not, but in fact we have.

4:30 p.m.

This placement procedure gets tighter and tighter each year, and the Ontario Schools,

Intermediate and Senior Divisions document is making it that much harder to fulfil the requirements when students' needs are changing. It is like working a jigsaw puzzle where the pieces do not fit and the picture keeps changing. I have been involved in it, and it takes a very long time and a number of trial runs before you get the fit that will meet everyone's needs. It is complex because the needs of the system are complex; simplification is possible only at the cost of inflexibility.

Given the situation we are used to working on, the one we have developed locally, I wonder what will happen when at the end of this process the public board has to declare teachers redundant, the separate board has declared needs and they do not match. The proposed legislation seems to gloss over this problem; it leaves it to the planning and implementation commission to sort out.

Will the public board have to make new staffing arrangements at the end of the designation and rejection phase that seems to be included in the legislation? If that is the case, staff allocation is almost going to become a year-round exercise. It will not be able to be accomplished by the end of June; I think we will still be in this process in September, and there will be the disruption of classes.

We wonder whether unplaced designated teachers will be included in the negotiated staff complement. If they are, that leaves the system short of qualified teachers in subject areas where we do have a need from student requests. Will the government give the public boards extra funds to retain these teachers?

Will the Roman Catholic boards accept the designated teachers but find it necessary to give them assignments outside their areas of expertise? If that is the case, what special protection do these teachers have in the area of evaluation, not to mention promotion? How will they be guaranteed fair representation?

In our opinion, the legislation haphazardly addresses the area of unemployment. Are there any guarantees against underemployment? The number of positions of responsibility is based on enrolment. What compensation will be available to those who lose positions of responsibility because of the decline?

Our transfer and redundancy policy does not mention people in positions of responsibility. They are excluded from being declared surplus. It appears to us that we are going to have to develop some sort of policy to play musical

chairs with our department heads and especially our vice-principals.

Many of our schools have two vice-principals; that is determined by a board policy which says a school has to have 1,250 students to be entitled to that second person. We would not need to see much of a shift before that person would no longer be necessary and would have to be demoted to the position of teacher and put on hold until he could be slotted into the appropriate spot.

That has very serious consequences for those young teachers who are preparing themselves for future promotion, because it appears they will not be eligible for quite some time. In fact, we may have early retirement before they are eligible to be promoted.

Timetabling a secondary school is a creative exercise, and there is no one right answer when matching staff to program needs. We wonder how an external agency is going to monitor the building of timetables to ensure it is not done to accomplish agendas other than the obvious one. Will representatives of the public board have access to the Roman Catholic schools' timetabling information and the right to advise them on how to accommodate the teachers?

Even given that they have that access, problems still remain. How can designated technical and family studies teachers be accommodated when many Roman Catholic schools do not offer such programs? In fact, these are the people most likely to be designated. We have a critical problem all across Ontario, exacerbated by OSIS, in these two areas.

In District 17, surplus and redundancy declaration is covered by a joint signatory policy wherein the rights of all parties are clearly delineated, and it is reviewed annually to iron out any problems we may become aware of.

We are raising issues that involve the livelihood and the right of an individual to practise his or her chosen profession. Ad hoc answers and exhortations to act in good faith belittle the complexity of these problems, and in this area it is inevitable there will be bitter disputes.

This raises a related concern on the role of the planning and implementation commission. Proposed legislation gives this body the responsibility to issue guidelines and to monitor the transfer. Under Bill 100, the federation has the right to represent secondary teachers and to maintain the collective agreement. Bill 30 does not address the role of the federation or the status of the collective agreement and disputes pertaining to conditions of work. Who are the parties to the

process? Are we forced to rely on our board to represent our interests in disputes?

The legislation states that the commission may provide for procedures that shall be followed in the reduction of staff. Do these take precedence over our transfer and redundancy policy, which is part of our collective agreement?

Under our grievance procedures, we are able to determine whether we are going to undertake the grievance because we have a pretty good idea of the principles laid down in labour law and of accumulated decisions that have come from arbitrators. What principles will guide the commission in its decisions other than the best interests of education in Ontario?

The legislation states the commission may assist in negotiations and act as mediator, fact-finder and arbitrator in disputes. This is a significant departure from established practice in dispute resolution. Surely there are legitimate reasons for appointing different people to act in each capacity. This process assumes an objectivity on the part of the commission which we are not willing to grant.

In District 17's experience with the commission, we have not felt that the commission is impartial, and I will refer you to the appended correspondence. We had to appeal to the commission to ask that the separate board be forced to honour its agreement to credit transferring teachers with accrued seniority, contract status and red-circled salary. Anyone reading the appended correspondence will have no difficulty identifying the commission's sympathies.

We resent having to appeal to a body with such obvious bias, broad powers and very loosely defined procedures. No other citizen of Ontario has to rely on the good intentions of such a body to determine standards of fairness in access to public institutions, and we do not feel we should have to either. Having said that, we are still completely at a loss to specify requirements to allay our fears of discrimination, based mostly on what has happened in Durham over the past six months or so.

We realize teacher affiliation is not your responsibility, but we raise the concern to indicate the problems that Bill 30 raises in other areas. We want to pursue the point we raised earlier concerning fair representation for designated teachers. I will not go through all the questions because I do not think anyone has the answers. I do not expect to get them from you since you do not determine affiliation.

However, there are serious problems when you consider that these people will probably be

forced, at least for some time, to be represented by the Ontario English Catholic Teachers' Association, an organization that is dedicated to upholding Catholic ideals. How are they going to get fair representation in any sort of problem that has lifestyle or creed overtones?

If the Catholic board's collective agreement has a "just cause" clause, what is the legal interpretation of "just cause"? We wonder whether nonadherence to Catholic principles would be just cause for discipline, demotion or dismissal. If the commission intervenes, that would mean those teachers are cut off from part of a contract for which they pay fees to be negotiated. If it does not intervene, they are paying fees to have a collective agreement negotiated which is detrimental to them. It seems to me there are all sorts of problems here, and it needs clarification.

4:40 p.m.

We refer to the limited programs and facilities of Roman Catholic schools. The public education system is attempting to meet the needs of hard-to-serve students, and there is great expense entailed in this. We wonder whether the Catholic boards will be obligated to do likewise. If that is the expectation, and we have to conclude that it is, we refer back to the minister's speech when he introduced the legislation. He established in his six principles a number of contradictory arguments. Each principle stands on its own, but when you try to juxtapose them, you cannot figure out what goes where and how.

The fifth principle seems to establish that Catholic students are deprived if Catholic education is denied. His sixth principle talks about an orderly and efficient transition, which implies that sharing facilities is an interim measure. We have to conclude that if he has established a student's spiritual need for Roman Catholic education, and in Bill 82 that same student is given the right to special programs to meet his needs, it must be his intent to provide both within the Catholic system.

Given that provincial funding has been declining seriously in the past few years, it is impossible to understand how the first principle can be met; that is, to protect the viability of the public system. How is it possible, we ask, to open new schools in one system while maintaining underutilized ones in another? This, to us, defies any definition of responsible tax management.

The precedent of full funding at public expense is certainly going to encourage other private schools to expect the same. What it does

is ensure perpetual competition between interest groups for political favour and will have consequences far beyond the education system.

We were shocked at the way the extension was accomplished, and we have some concern about the perceptions of the general populace on the political process in this province. Large numbers of concerned citizens and educators feel that they have been disfranchised and that to protest is to be called a bigot.

How can these people not become cynical about the political process when the minister asserts the need to ensure full discussion without any arbitrary deadline, and the need to proceed with the extension of full funding immediately, as simultaneous obligations? We wonder why we are here.

How can they have confidence in the democratic process when the minister describes the words of the former Premier as "more than a statement of intent; they have the power of a decision taken"? When expediency has replaced due process and the province's resources are thrown up for grabs, how can we expect anything but opportunism?

In summary, we believe that the consequences of Bill 30 threaten to fragment the public education system and create polarization in our society. The process by which the extension of funding was initiated and the follow-up legislation contradict cherished ideals and practices in this province. We believe the issue of the extension of funding should be decided by the courts. We have expressed our concern here not to lobby for minor changes in Bill 30, but to demonstrate why Bill 30 should be withdrawn.

Should the extension be deemed constitutional, we still feel that Bill 30 is a wasteful and damaging way to meet the desires of the Roman Catholic community. We urge that, should the funding be found constitutional, the government delay implementation, initiate consultation with all groups and begin to plan the structural changes to the education system to accommodate the needs of all interests. To this end, we in the OSSTF have proposed a unified school board system and have stated on several occasions that we are willing to contribute to the development of such a model.

This bill has created antagonism where there should not have been any. We are not naive. We understand that it is hard to reconcile various interests, but we still have confidence that there are ways to bring people together to strengthen our educational system, and Bill 30 does not have them.

I would also like to add that you, of all people, must be sensing the tenacity of both the advocates and the adversaries of this funding. We have constituents who demand that their interests be represented. The problems are not going to go away. You can extend funding by decree; we know that is true because it has been done. However, you cannot silence the victims of that decision who will be hurt and will not go away, unless you make complaining illegal.

Mr. Chairman: We would never make complaining illegal. It would make our afternoons much less interesting if we did. Even in this afternoon's agenda we have had very strong points of view put on both sides, and not just on both sides; it is more complicated than that.

As you say, there are various legitimate vested interests in this issue, and nobody is thinking that there is a political win in this matter. There are Catholics in the province who have felt disfranchised and disgruntled for many years, and now there are going to be people on the other side who are going to feel the same way, if Bill 30 becomes a reality, if the courts uphold its validity and if we ever finish our hearings and actually amend it.

On behalf of the committee, I would like to thank you for a number of things you raised, especially in terms of some of the questions you raised in the second half of the presentation; they are things we have been grappling with. The role of the commission in terms of dispute resolution is one of those things. More and more, I think members of the committee are looking at the Education Relations Commission as a more appropriate body for dealing with that side of the problem. With its expertise in arbitration, and its understanding of Bill 100 and that kind of thing, that commission would be a more appropriate vehicle.

Regarding the range of questions you asked, we may be edging towards answers on some of them—I would not want to predict where committee members will go; I think they are anxious to hear everybody out before they start to make statements about where they might go—but they have been a particular challenge to us. As you alluded to in your presentation, we still do not have answers for some of the questions even after more than 840 briefs.

Are there questions from committee members? We have heard a great deal from many sides in the Durham region, as you know. You quoted one bit of Hansard, but we have had many people here on many sides of the issue from your locality.

Mr. Davis: I want to thank the delegation for coming to speak to us. I wonder if you have resolved that issue with your coterminous separate board. I understood that it had been resolved, that the coterminous separate board was not going to have "religious tests" for people who go across.

Ms. Tindall: It was resolved in that a piece of paper was changed to get funding. We thought perhaps that had cleared it up. However, as I referred to in my brief, that same group—and I am not talking about a group of citizens, students or teachers; I am talking about the official representatives of the Durham separate board—made an entire presentation here which revolved around nothing but the right to discriminate.

Therefore, although it may be cleared up by a piece of paper, it is not cleared up to our satisfaction. We are not reassured. The commission states that people should not be expected to do anything other than to teach to the requirements of the Education Act. However, it is obviously the intent of the key figures in that board to see how far they can push it.

Mr. Davis: Did you have any teachers declared redundant this year?

Ms. Tindall: We did not have teachers declared redundant. We had four teachers transfer voluntarily to the separate board. We had great difficulty in reaching resolution on the simplest of the transfer aspects; that is, the seniority, the contract status and red-circled salaries.

We have not even attempted to get any resolution on retirement gratuity, which has been grandfathered for two years in the separate board and which is part of our collective agreement. We have not yet been able to talk about sick-leave credits; they have different maximums, which are lower than ours. We have not gotten to how long the red-circling lasts. Their grid is at a lower rate than ours, and ours is longer; it takes about two years to get to maximum on theirs, as opposed to 10 on ours.

There are a number of sticky issues. We had that much of a problem getting very simple ones worked out. We have struck a joint committee, which will be meeting shortly to make a permanent transfer policy for designated teachers.

Mr. Davis: In the sick-leave credits, what is the OSSTF position? Do you think the teacher who transfers should carry the whole bundle over, or should he leave it back in the public board to be held in a bank back there?

Ms. Tindall: I understand the legislation lets you carry the maximum of the separate agreement, and then the rest is banked. I have not really looked into it enough to give an opinion on it.

Ms. Glass: In our system, there is no provision at present for cashing in on any banks of sick leave. I do not understand what leaving it back in the public board is going to do, other than leave it back in the public board.

Mr. Davis: Okay. Thank you.

4:50 p.m.

Mr. Chairman: You have raised a point that many others have raised, including the Ontario English Catholic Teachers' Association, about the contracts and the agreements versus the legislation and how those two will mesh to make sure the best situation applies to the teacher involved. If the contract is not up to the legislation, then the legislation should be followed. If the contract is better than the legislation, then that should be adhered to. That is an argument for which I think there is a fair amount of sympathy on the part of the committee.

However, the more we hear about the problems in Durham and other areas where the capacity to co-operate seems to be less than ideal, the more I think the Education Relations Commission is going to have to be the arbiter, and as speedy a resolution mechanism as possible put in, so that we can make sure there is no major delay in some of the very basic things you have outlined that would affect teachers going over.

At the moment, the way it is left with the planning and implementation commission is a very awkward situation without legislation.

Ms. Tindall: I wish to point out that although we have had this antagonism and some disagreement, we continue to meet and we have a number of committees looking at various things such as how to get information into the separate schools. Last year our guidance people were denied access, which changed the policy of many years; they were not able to distribute the applications or information. We now have a committee looking at that to overcome the problem.

These problems could have been overcome had there been any kind of unambiguous direction. Our separate board would have been willing to go along with giving these conditions to the transfers had there been a sentence somewhere saying that voluntary transfers should have the same rights as those who are designated. If they want Catholic teachers to

come over, it only makes sense that they give them the same thing.

A lot of the antagonism is not as a result of the personalities, nor have we set out not to co-operate. The fact is that nobody can get an answer. We are not going to be lulled into complacency by saying that perhaps we will not experience much impact in Durham. We have to approach this as though we are going to be affected as greatly in Durham as any other area. All the unspoken things have caused the problems; they have been created by the way in which it has been handled.

Mr. Chairman: The complexity of the issue versus the delay, and then the rush of how legislation was brought forward, if I may put it that way, and the way the planning and implementation commission's hands were basically tied in a number of areas, are things we all regret.

If you have seen the new plans, suggestions and so on from the planning and implementation commission guidelines, there are many more precise requirements. For instance, the guidance counsellor access is now required as part of that

plan; a number of matters such as that are being dealt with before we actually get to finishing off the legislation, if we ever do that.

Ms. Tindall: It is a step, but it does not answer a lot of my questions.

Mr. Chairman: No, I am not even sure that by the time we finish we will answer all your questions, but at least we have now heard, in a very comprehensive fashion, from people around the entire province with their individual problems and the particular quirks that develop because of a growth area, a major decline, a very isolated area or whatever. If we get a chance to get to the clause-by-clause stage, we may actually make some major improvements in the legislation. I hope so.

At any rate, on behalf of the committee, I thank you very much for coming. I think we have heard very fully now from just about every group you can imagine in Durham. As I say that, we probably have others on the list as well.

We stand adjourned until 8 p.m.

The committee recessed at 4:53 p.m.

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 Johnston, R. F., Chairman (Scarborough West NDP)

From the Lennox and Addington County Board of Education:

Boston, W. F., Director of Education and Secretary
 Mifflin, K., Chairperson

From the Ontario Secondary School Teachers' Federation, District 17, Durham:

Glass, B., Vice-President
 Tindall, B., President

From the York Region Roman Catholic Separate School Board:

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No. S-73

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament

Wednesday, October 23, 1985

Evening Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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Vice-Chairman: Allen, R. (Hamilton West NDP)

Bernier, L. (Kenora PC)

Cooke, D. S. (Windsor-Riverside NDP)

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 23, 1985

The committee resumed at 8:03 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

The Vice-Chairman: We will get under way. Would the presenters of the first brief come forward, please? I understand this is brief 838, by the St. Michael Separate School Parents' Committee, Mrs. D. Hughes, chairperson. When you seat yourselves, perhaps you would introduce the rest of your party, Mrs. Hughes, and then proceed with the brief in whatever way you are comfortable.

Perhaps I should apologize. We do not have full committees when the House is in session; it is rather more difficult to assemble the full committee. There are a great many committees sitting at this time and we are having some trouble keeping our full complement going, so excuse us. None the less, you are heard and recorded and your presentation has the weight of anyone else's in the course of these hearings. Do proceed.

ST. MICHAEL SEPARATE SCHOOL PARENTS' COMMITTEE

Mrs. Hughes: I am Deirdre Hughes, president of St. Michael Separate School Association. I would like at this time to introduce Sister Pickett, who is the principal of our school, and Mr. Clem Babb, who is one of the members and one of my fellow associates.

We are here this evening to urge you to implement Bill 30. We wish to see the funding of grades 11 and 12 for the separate schools. St. Michael School in its short life has a very commendable history of support and co-operation with the public school system. We share facilities, such as playground and gymnasium, with Market Lane school. We have also supported their endeavours to build a new and bigger school in the St. Lawrence area. The St. Lawrence Neighbourhood Association has given us verbal support in our endeavours for funding of grades 11 and 12.

We feel that non-Catholic students are welcomed into Catholic secondary schools as they have been in the past. The freedom of the

non-Catholic student to choose to attend our schools has always been and will always remain, and will be enlarged thanks to increased funding at grades 11 and 12.

The separate school system sets its curriculum with religious training as a major part of that curriculum. Non-Catholic students having the right to make use of our separate school system should not expect the right to change this basic foundation.

We ask members of this committee, should the separate school system close entirely? Before the financial aspect of funding for grades 11 and 12, it was considered by all to be one of the best education systems in Canada. There is only one question, and that is the question of financial support from the government of Ontario. I say to you you have no say in this matter because that question was answered 118 years ago.

All we are doing here this evening is asking you to restore a little honour to Ontarians by keeping that promise. Needless to say, the other side of the bargain was kept. We say to you better late than never. Thank you.

The Vice-Chairman: Thank you very much. Did other members of your group wish to add anything to your words at this time?

Mrs. Hughes: I do not believe so at this point.

The Vice-Chairman: Perhaps you could tell us a little more about your school. Perhaps you could give us a bit of its history, the size of the school, how many students and details like that.

Mrs. Hughes: Certainly. It is an elementary and primary school and it has 174 students. This is its sixth year. When the St. Lawrence market area was built, the school was built with the two schools that worked together on either side. One is on George Street and the other is on Jarvis Street. We share the gym time and the playground time.

In the future we hope with the ministry's help there will be a new school and a community centre built in that area; we will still be sharing facilities with them, such as the swimming pool they hope to build. The gymnasium is also part of the community of that area. It is used for meetings and for after-school programs by both schools.

As I said in my brief, we have been supportive of their endeavours to seek a new and bigger school in the area, because they have more than nine portables right now.

The Vice-Chairman: Is your school still in a growth phase?

Mrs. Hughes: Yes; we are in a portable situation as well.

The Vice-Chairman: How many portables?

Sister Pickett: We have three portables and one washroom portable; there are three classrooms and a portable.

The Vice-Chairman: Does the public school also have portables?

Mrs. Hughes: They have nine portables.

The Vice-Chairman: Thank you very much. Are there any questions members of the committee would like to pursue with regard to the brief?

Mr. Guindon: How many years has that school been established?

Mrs. Hughes: It is going into its sixth year.

Mr. Guindon: The sixth year as an elementary school?

Mrs. Hughes: Elementary and what we call primary school.

Sister Pickett: It is called elementary. It is junior kindergarten to grade 8. It is a regular elementary school.

Mr. Guindon: Do you have grade 9 this year?

Sister Pickett: No, we would not have grade 9 anyway, because we are not a secondary school.

Mr. Newman: How many students do you have in grade 8?

Sister Pickett: In grades 7 and 8 we have 24 students.

Mr. Newman: Is it combined?

Sister Pickett: Yes. It is double grading because we are a small school.

The Vice-Chairman: Which high school do those students then go to; or to which school in the separate board for their grades 9 and 10?

Mrs. Hughes: They would definitely have to go out of that area. They have the choice of Notre Dame or St. Joseph's commercial.

8:10 p.m.

Sister Pickett: They actually can apply to any Catholic high school or public high school they wish to attend. It is up to the student to make that decision. Most opt for a Catholic high school. They usually try to choose one within the area. If there is room in that school they are admitted; if not, they have to go farther.

The Vice-Chairman: Would it be reasonable to conclude you have a fairly cosmopolitan student population?

Mrs. Hughes: It certainly would. It is very much so.

Mr. Newman: Is there a tuition charge at all for the students?

Mrs. Hughes: None.

Mr. Newman: For none of the grades?

Sister Pickett: No.

The Vice-Chairman: I noticed one of your major concerns was the set of provisions around student access and whether incoming non-Catholic students should have a right to exemption from formal religious studies. I was not quite sure from your brief whether you meant that to apply to all students, whether they were attending by virtue of necessity to get a program or because of the location's convenience. I would not expect that would be the case since you have a very close relationship with another public school to which they would obviously go.

Addressing the bill in the larger sense, obviously there will be non-Catholic students who will want to access Catholic schools because it is very inconvenient, because of their geographic location, to get to the public school to which they would normally go. It might be that a personal handicap that would make that impossible.

Are you saying you feel those students should not have at least a right to request an exemption and receive it?

Mrs. Hughes: For example, in a sport such as baseball, the rules are set out for all participants before the game is started and I do not think anyone has the right to change those.

Let us say there is a public and a separate school. I do not think they necessarily choose the separate school just because of easy access. I think it is chosen because of its basic foundation and curriculum and all that entails. I think it would be the exception to the rule that one would have this.

You mentioned it might be because of a handicap. I would say we are known throughout Canada. Sister Pickett spends her day showing people around. We have many handicapped children attending and the whole school is built for that. These children go through the regular grades with the other classes.

Mr. Davis: If I am correct, yours is the joint school in the Market Lane complex of apartments.

Mrs. Hughes: That is right.

Mr. Davis: Why would you move when it is so unique and different?

Sister Pickett: Why would I move? We are not moving.

Mr. Davis: However, the indication in your report is that you are going to create—

Mrs. Hughes: No. It is Market Lane which wishes to move because it is overcrowded and needs a bigger area. We would not be moving. As I said, we have supported its endeavours to build a new school, which would be in conjunction with a community centre for the St. Lawrence area.

They have been after the ministry for permission to build a new school for about three years. We will not be moving.

Mr. Davis: I know a bit about the Market Lane development and I just thought it was unique and different. I must admit I am very disappointed that either one, yours or the public system, has considered moving out of a complex in which you deliver education services.

Mr. Babb: I do not think we are moving out of the complex. In essence, what is happening is that Market Lane is growing so fast it needs more accommodation to facilitate the needs of the students and offer better curricular activity.

There is a piece of land just beyond Berkeley Street that has been allocated for the Market Lane school and for a community centre within the St. Lawrence area.

Mr. Davis: Would you be prepared to move your school to that area along with the public board and create one entity, one building, which becomes the residence of community activities?

Mrs. Hughes: It certainly sounds very nice. If the facility were built to accommodate everyone, I am sure everybody would be knocking on the door; but since we have been at the ministry now for three years looking for money to build even one, I cannot see—

Mr. Davis: Nobody has asked for two; it would be one building with two jurisdictions. I know the Market Lane area quite well. I drive by it. I know its building and I served on the Metropolitan Toronto School Board.

If you are going to move out of what I understand is the accommodation in the Market Lane apartment complex, and the public board is going to move to location X, which is within the jurisdiction, it seems to me the practical thing to do is to build one school building that houses both school facilities and at the same time meets the needs of the community.

You approach the illustrious city of Toronto and ask for a swimming pool and a community centre to be established. You build facilities you can all use. That becomes the entity of what I call community.

Sister Pickett: May I reply?

Mrs. Hughes: Yes, please.

Mr. Davis: It was directed to you, Sister.

Sister Pickett: Fine. I was not aware that you were under the impression that we were asking to move. We are not. What we are doing is asking that you support extension for—

Mr. Davis: You misunderstand what I am saying to you.

Sister Pickett: We are already in a joint building; but it is not large enough for either one of us so both of us are now out in portables. Originally, the plan was to have built a second public school in year two of the development. The public school's plan was to build a second school. I understand the separate school system at that time felt it would not need more space because it would expand over into the other area.

However, that did not happen because numbers at the time of phase 2 in the development did not warrant, from the point of view of the ministry, the building of another school. The people of the community have been striving to get that school built so they would have a larger school and community facilities.

In my understanding it was not due to the fact that we wanted to separate, but rather that there would be this extra space if the new school were built. The present Market Lane would be vacant and therefore it would be more economical to expand into it than to move into another. Are we still not on the same channel?

Mr. Davis: No. I see the innovativeness. I have certainly studied the Roman Catholic church in respect to its innovativeness. The essence of any jurisdiction is community, within the schools and within the community at large.

It seems to me that if you are going to attempt to afford the opportunity to build a school which is different to what you have now, regardless of the Toronto situation you will build something together that is unique and different. As I understand it, the Market Lane complex is unique and different in its own right, never mind the fact there are two educational institutions in it.

It seems to me what we should be exploring is one complex, one entity in which are housed two individual identities and which meets the needs of the community at the same time. Do you have

a swimming pool in Market Lane? No. Do you have a community centre? No.

8:20 p.m.

Why not turn that educational facility into something that responds to that uniqueness of Market Lane, which is unique in its own right? I do not know how you encourage this. I do not think you legislate it; maybe you do, I do not know.

It seems to me you should encourage the kind of development which says that should you sit down with your coterminous public board, which is the Toronto Board of Education—I know you are not talking but, you talk anyway—and say, “Instead of building a public school out there in that specific area, we will build a school building that accomplishes several things for the well-being of the community that is being developed in the Market Lane area.” You house educational needs, both separate and public; and you house community needs, such as a swimming pool, supported to some extent by the city of Toronto. That becomes your community identity.

When you separate those you create, in effect, a public school board out there and—if I understand my geography right, and I stand to be corrected—a separate school back in the community. You separate and divide the community. The essence of any community, as I understand it, is to bring the community together. That should be common. An educational resource centre is where you could both strive to bring about—I am not saying it can happen but at least you have to explore those opportunities.

The Vice-Chairman: Let me respond to Mr. Davis’s complete design for your future.

Mr. Davis: I am well aware—

Sister Pickett: I do not know how we could accomplish that when we cannot get permission to build one school. I do not know how we could build a bigger one—

Mr. Davis: You are building one school that accommodates two. I am not the Minister of Education—

Sister Pickett: Right.

Mr. Davis: —but if you came to me with that concept, I would find the funds to build it.

Sister Pickett: Would you like to talk to Mr. Conway tomorrow morning?

Mr. Davis: No, I am not going to give him any ideas.

Mrs. Hughes: I like your idea, Mr. Davis, but we are talking of the elementary school level. If we may, we can come with the St. Lawrence

Neighbourhood Association to seek your help and support for something like that.

Mr. Davis: You come right along and I will give you all the support I can.

Mrs. Hughes: We are here this evening to urge this committee to extend funding to grades 11 and 12. We are here as a parent group from an elementary primary school. We will take your advice under consideration for another problem. Thank you.

The Vice-Chairman: Perhaps you could tell us, though, what the administrative structure is in your present arrangements. Do you have two completely separate administrations or are there joint administrative functions that govern the entities of the two schools at this point?

Mrs. Hughes: Perhaps Sister Pickett could answer this.

Sister Pickett: It is two different administrations, but we do get along very well and we do not have any difficulties in being housed in the same complex. As Mr. Davis has pointed out, it is a good idea and it is workable. We approve that in our situation. We have both undergone various problems with the lack of space and the lack of a school yard, when you consider about 500 children on a little postage stamp out there. It proves it can work and it can work very well.

The Vice-Chairman: We are very pleased to hear your experience. There are a handful of examples like this across the province but not very many, as we have found. One of the reasons Mr. Davis pushed you at length on the issue is that we have been so impressed with the one or two we have run into. We are very encouraged by the experiments.

Any further questions from the committee? If not, I thank you very much for coming and giving us your message. We look forward to seeing you again in some other capacity.

Mrs. Hughes: Thank you very much; and thanks to this committee for the many long hours you have sat over many months.

Mr. Davis: Do come and see me.

Mrs. Hughes: We will.

The Vice-Chairman: Our next brief, exhibit 839, is a presentation by the Ontario separate school teachers’ federation, District 21, Seaway.

Mr. Guindon: What was that?

The Vice-Chairman: The OSSTF.

Mr. Guindon: Please, Mr. Chairman; separate school?

The Vice-Chairman: Oh, I am sorry; secondary.

Interjection.

The Vice-Chairman: Yes, of course.

Mr. Guindon: How dare you, Mr. Chairman, insult the good people from eastern Ontario.

The Vice-Chairman: I am mixing some apples and oranges.

Mr. Hill, please sit down so we can get your voice recorded on the microphone. If any of you are speaking, do stay fairly forward so that we get a good record of your contributions. Mr. Hill, perhaps you would introduce your delegation.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION,
DISTRICT 21, SEAWAY

Mr. Hill: Certainly. I would like to introduce Alan Mills, Ms. Judith Bush, our president Ms. Elaine Kennedy, and David Moss, our provincial councillor.

We do not intend at this time to expand upon our brief, which we feel is self-explanatory, but Mr. Moss and I have prepared statements. In a survey conducted at the Home and Trade Show this week in Cornwall, this community, which is 67 per cent Roman Catholic, was opposed to extended funding. The details of this survey will be covered by my colleague David Moss. Politicians would do well to take a look at that result.

Extended funding is simply too expensive. It costs too much to set up a new school that did not exist previously to compete with our 11 established and diminishing school enrolments. We cannot afford extended funding. Somebody may want it, but we cannot afford it. Our province is redesigning the grant structure to schools to save money. No wonder we are in a crunch, caught between government deficits and general economic recession.

Premier Peterson recognizes this situation in his fight to blunt the federal government's free trade initiative. Yet because of an almost impromptu speech on June 12, 1984, millions of scarce dollars that our public school system badly needs are being funnelled away from our system and into this redundant and unproductive project represented by Bill 30, extended funding.

"Unproductive" and "redundant" are words chosen carefully. Nobody can prove that extended funding will change any student for the better or will change society for the better. Nobody has even tried, because extended funded has no benefits that are not political.

It is comforting to see that our politicians seated here are aware of the futility of the hearings being conducted by the Commission for

Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario. The very extent of the representations to this committee are testimony to that futility.

We understand that massive changes to Bill 30 are being contemplated. I would suggest one very simple change that would end all this tinkering with our public school system: application of a lighted match. I implore the members of the standing committee on social development and the members in the Legislature to end this travesty.

I pass over now to Mr. Moss.

8:30 p.m.

Mr. Moss: First of all, on behalf of the public secondary teachers in Stormont, Dundas and Glengarry, we would like to thank you for the opportunity to address the committee. We are well aware you have heard many submissions on this very complex issue, as evidenced by the number of our brief, 839, but we felt we should present our feelings as well.

As we are sure you are aware, the two boards of education in Stormont, Dundas and Glengarry have adopted a co-operative approach in this issue and have been hailed as a model for the province, particularly by themselves. Although we support a co-operative model in principle, we believe there are some major flaws that should be highlighted to the committee.

We are sure it will come as no surprise to this committee that as members of the Ontario Secondary School Teachers' Federation we are opposed to the extension of funding. We are pleased to see our two boards adopt, in part, the OSSTF concept of a unified school board. Our boards are moving to amalgamate services at the board level, such as computer services, courier services, busing and audio-visual centres, to remove the very costly duplication of services with two systems. We commend this concept. However, the co-operation really ends at this very superficial level and the duplication begins.

The new St. Joseph's Catholic high school in Cornwall has been set up in a wing of the public General Vanier Secondary School; this is a commendable suggestion. The sharing of facilities has been accommodated, but the sharing ends there. These are two distinct schools. There has been no intermingling of students or programs. They have different lunch hours even though they share the same cafeteria. They have different school organizations and staffs. There are no new advantages for the students. They might as well be in two separate buildings 50

miles apart. This is a duplication of services, not sharing.

To highlight this point, a former trustee in the public board, representing separate school supporters, announced he would seek election to the separate board to help them create, and I use the quote from the trustee, "a system equal to the public system." This is not co-operation; this is duplication.

Our two boards have operated parallel elementary systems for many years. We do not believe there will be any difference in the secondary system. Programs have been initiated by one board or the other, not necessarily based on educational validity but often because of competition for students.

French immersion is a classic example in the united counties of Stormont, Dundas and Glengarry, where we have seen a furious competition for students. First one board and then the other sets up immersion programs to attract, or conversely to keep, students.

The public board initiated junior kindergarten this year. Because it is educationally sound? Perhaps; or is it because the separate board already had the program in place and it was losing students. This is the type of co-operation we are used to; we do not want to see this develop at the secondary level.

French-language education at the secondary level has been piloted in many ways by our excellent public board of education. There has been much talk in the community that our two French-language high schools will move en bloc in 1987 to the separate panel as the students in these schools are predominantly, to the tune of about 99 per cent, Roman Catholic.

We view this transfer with alarm. We have teachers teaching at present in these schools who do not believe they would be welcome or be comfortable teaching under the separate board. They fear changes to their curriculum based on religious principles. Does the fact that a parent may opt for French-language instruction mean the child must attend a Catholic high school in Stormont, Dundas and Glengarry?

To create a new, parallel French-language system again in the public panel is a waste and a costly duplication of services. The economies of scale are not there. Our high schools in SDG are small. No school—I am talking high school—has more than 1,000 students. We offer a large variety of programs. As you further split this student population, you guarantee programs will disappear or you guarantee a large increase in cost to the taxpayer to maintain programs.

We will highlight just one more example. We currently have one school in our system, Regionale Glengarry Ecole Secondaire in Alexandria, which is divided into two entities based on language of instruction, a model for the province. If Bill 30 continues unchanged, this building could well have four entities based on language and religion. We see no advantage to this. We see only a division in our communities; a division which currently does not exist. Please do not take us back to the 1940s and the 1950s.

This week at the Cornwall Home and Trade Show our federation sponsored a booth, as mentioned by Mr. Hill, to promote excellence in public secondary education. As part of that booth, we ran an opinion poll on this issue on a computer which allowed individuals to vote secretly on two questions. More than 400 adults took the time during the last two evenings to answer these two questions. The results proved interesting. Only 48.2 per cent of those people support your plan of full funding. This in a community which is approximately 67 per cent Roman Catholic.

The second result was even more interesting: 79.05 per cent believe a referendum should be held before any funding is approved. We thank you for your consideration, and we will be pleased to answer questions.

Mr. Guindon: Thank you for your brief. There is a lot on the table for my colleagues to look at and probably discuss with you. Just for information, what were the two questions?

Mr. Moss: The first question simply asked, "Are you in favour of the plan to extend full funding for secondary education to the separate system?" I do not have the wording of the second question exactly now; I forgot to put it down. The booth is still going; it is on again tonight, so these are partial results. The second question was, "Do you support a referendum on this issue before any extension of funding is made?" Those were the two questions.

Mr. Guindon: We have heard a lot about the co-operation between the two coterminous boards in Stormont, Dundas and Glengarry. It is obvious from your statement that you do not believe there is that much co-operation. Is there anything you can add to your statement that would confirm there is unco-operation?

Mr. Moss: We would not say there is unco-operation. The plan to deal with this on a co-operative level is there at the senior administration level and all the way through the school system. It would be our hope that we could co-operate if the funding issue was determined as

set out in Bill 30 and that we could continue to co-operate and make the best of the situation. However, the co-operation ends at the classroom door. Once you hit the classroom door, there are two separate, distinct systems that have their own administration, their own programs and their own staff. They are administered as two separate systems.

At present, the only separate high school in Cornwall is St. Joseph's Separate School, which is new this year. It has grades 9 to 11, with 160 to 180 students. All the other high schools are public high schools. So we have no way of knowing what may or may not develop. We do not want to see a further fragmentation. Our schools are so small that if we fragment further into various entities it becomes almost impossible to maintain the level of programming we have now. Something will have to go or it is going to become very expensive to maintain that level of programming in Stormont, Dundas and Glengarry.

Mr. Guindon: Okay. Is District 21 all of SD and G?

Mr. Moss: Yes.

Mr. Guindon: Do you have any thoughts on what would happen to Tagwi Secondary School, Char-Lan High School or Glengarry District High School if Bill 30 goes ahead without any changes?

Mr. Moss: It is very difficult to say. The counties are very diverse. As you move from Glengarry towards Dundas, the percentage of Roman Catholic population diminishes dramatically. It is 18 per cent Roman Catholic in Dundas, to a high of 69 per cent in Glengarry county.

It is a very difficult thing to say. A lot of people feel there will be no effect in Dundas. However, right now students are bused from the far end of Dundas to the separate high school in Cornwall, when there is a public high school right next door to their small separate elementary school. It is a very long bus trip for them.

Mr. Guindon: How many students are being bused that far? It is quite a distance. It is about 30 miles?

Ms. Bobka: There are 25 students from Iroquois.

Mr. Moss: That is a 30-mile trip back and forth each day. The parents are very committed to having their children educated in a separate high school in making that sacrifice to have their children travel that distance.

The Vice-Chairman: Are you finished, Mr. Guindon? Would you like to comment further?

8:40 p.m.

Mr. Hill: The question of what is going to happen to those schools is dependent upon what happens to subsection 136o(2). That is on page 7 in our brief. If there is a barrier put on whether or not a Roman Catholic student may enter our system, as the act states right now, we are in trouble because we are going to lose about 60 per cent of our kids in the next five years. That is going to shut quite a few schools.

Mr. Guindon: Split equally among the schools, especially around Glengarry and Cornwall?

Mr. Hill: Glengarry and Cornwall mostly. It will not have too much effect in Dundas because there the ratio is only about 12 per cent catholic; but there will be a dramatic effect in those other areas.

Mr. Reycraft: I am just trying to get a picture of the enrolment situation in the county. Could you help me out by explaining the situation at the elementary level in terms of numbers of schools and students? That may be in the brief, but I have not seen it.

Mr. Moss: At the elementary level the majority of students are serviced by the separate school board rather than the public board. This is one of the few areas in the province where the public secondary enrolment is greater than the public elementary enrolment. The largest number of schools are separate elementary schools because of the large Catholic population in Glengarry and the city of Cornwall. Most of the public elementary schools are located in Cornwall, and then west into Dundas county and the northwestern half of Stormont county. There are very few public elementary schools in Glengarry county.

The separate board has a larger enrolment of elementary students than does the public board in Stormont, Dundas and Glengarry if you take it as a whole, that is look at the three united counties together.

Mr. Reycraft: Could you tell me a bit more about the separate secondary school to which these students are bused? How large is its enrolment?

Mr. Moss: There are 160 to 180 in grades 9 to 11. It was established three years ago with grade 9. They moved last year to grade 10 and this year to grade 11. It serves about 160 to 180 students. I am not sure of the exact figure as the enrolment has not been announced.

Mr. Reycraft: Are there any portable classrooms?

Mr. Moss: No. They share the facility. They have taken over the wing of a public secondary school in the city of Cornwall. They have taken over one wing of that school.

Mr. Reycraft: What kind of program do they offer there? Is it a technical program? Are there shops available to the students?

Mr. Moss: They use the shop facilities in the public high school.

Mr. Reycraft: Are the program opportunities for the students in the separate secondary school pretty much the same as they are for the students in the public secondary school?

Mr. Moss: Yes.

Mr. Reycraft: I appreciate that. That is helpful.

I would like to deal with this matter of cost. What evidence is there to back up your statement this is financially prohibitive, that it is going to have the kind of impact on the provincial economy and budget that you suggest?

Mr. Hill: We have all seen the figures that are being suggested, \$80 million this year. Just look at what was done in our system this past year to accommodate this, what we have to call the 12th high school, which never would have been built in our system. Totally new administrative offices were built. The wing of the school was heavily remodelled. Totally new and separate telephone and public address systems were accommodated. Offices were totally furnished for secretarial staff and equipment. All the hardware of administration had to be purchased and installed in this school. It is a brand new school.

The place they were operating before remains as a separate elementary school, so they had to start from scratch. I do not know the exact cost of the accommodations, but I would imagine it is substantial.

I would like to emphasize that it is not just an economic cost, although that is the one I was talking about when I made my presentation. Dr. More made a presentation here a few days ago and spoke of this very situation. He showed how a timetable can be squeezed as students leave a school system. The timetable is squeezed in such a way that there are fewer positions left and students have less choice because of conflicts within the timetable.

What is happening is that as the school shrinks a student is affected directly with respect to what is available for study. His curriculum is affected and his education is affected.

This change is going to take a number of years. I have been teaching for 25 years and a lot of teachers have been around for quite a while. We see changes come and go, but for a student, a change in three, four or five years represents a heck of a change. It is his entire secondary school education that is in a turmoil. He has a cut made in what is available to his life because of what is being done to his educational system. That is what is happening in our system; we are being shrunk.

I am really afraid of what is going to happen in the next three years in our system with respect to what is available to these students who are passing through as this system is wrung between the two school boards. Right now there is no evidence of co-operation within the curriculum or within the classrooms. The separate schools want a totally separate system. They are sharing buildings, but as Mr. Moss said they might as well be 50 miles apart.

We are doing a survey right now on the damage that has been inflicted upon the General Vanier curriculum and program. We have not finished it and we were not able to bring the results here, but we see some substantial evidence of costs to the curriculum of that school.

Mr. Reycraft: I, too, taught for close to 25 years, most of it in a high school that had fewer than 500 students. I certainly can relate to your suggestions about the effect of small enrolment on the program offerings. But I do not share to the same extent your suggestion that the quality of the education received in a secondary school is directly related to the number of options that are offered. In fact, I do not think it is. It depends on the teachers who are there, their commitment to the students and, to some extent, to the community.

In my question I was referring to the comments you made about the total cost of extending the funding. At least I thought that was what you were referring to in your remarks.

Mr. Hill: That is what I was referring to.

Mr. Reycraft: We have to keep it in perspective that the additional cost is slightly more than one per cent of the total budget of education in this province. I am sure if such an increase were provided for some other purpose that it would not be getting nearly the reaction with respect to its affordability that this is.

Mr. Davis: I am glad to see that my colleague listens with a little priority to the former Premier of the province when he indicates the cost factor.

I have a couple of comments. One is on the designated teacher. You are aware that the

volunteer concept seems to be favoured by this committee, although I am not saying it will happen, as an option through which one transfers teachers across. As I understand it, that volunteer teacher would be protected under the designation clauses.

Mr. Hill: It would seem logical.

Mr. Davis: Just for information, what are the average sizes of your secondary schools?

Mr. Moss: The largest of the schools this year has about 910 students; and the smallest, if we are not counting St. Joseph's Catholic high school, which would be the smallest, has about 215.

Mr. Davis: St. Joseph's is going to have an enrolment of about 180?

Mr. Moss: Yes.

Mr. Davis: That makes it about 35 off what you called the smallest.

Mr. Moss: Yes.

Mr. Davis: Could I assume that your smallest high school, in your opinion, can deliver what you understand is a viable program?

Mr. Hill: Our smallest high school is sharing programs with some of our larger—

8:50 p.m.

Mr. Davis: That is not what I asked you. I asked you whether, as an educator, your perception is that a school with 235 students is viable?

Mr. Hill: No; they have to share.

Ms. Kennedy: May I ask what your definition of viable is?

Mr. Davis: No, you may not. I will be very specific about what I am trying to get at. There is a difference of 35 students; that is one class in a separate school which has a pupil-teacher ratio of about 32 to one. I would assume your PTR is about 19 or 21 to one.

Ms. Kennedy: It is 16.5.

Mr. Davis: Okay, you have two classes. What you are saying is that small school of 235 students, wherever it is—I do not know where and I do not particularly worry about that—even though they share programs with some other school jurisdiction, by your board's standards, and I would assume by your educational standards, is viable. Otherwise, if it is not, you will have already looked at whether it should be reviewed under the provincial guidelines for closing a school. Has it been reviewed?

Mr. Moss: What has happened at that school, which is 13 miles from Cornwall, is that in order

to provide students with the opportunity to take technical programs and home economics—because of its size the school could not build a wing of shops, it was not economically feasible—students who opt for those programs bus to Cornwall to take them.

In order to maintain that school, and having a school is an important part of that community, they felt they could simply provide those programs in another setting. To provide the students with a wider range of programs, they do so in another school that has the space.

Mr. Davis: I understand the necessity of keeping a school in a community. Based now on educational philosophy only, in your opinion, would you close that school and bus those kids 13 miles to the local high school in Cornwall?

Mr. Moss: No.

Mr. Davis: Why?

Mr. Moss: Because I believe they receive a far better education in their home community.

Mr. Davis: Would 180 kids receive the same kind of education?

Mr. Moss: We are not arguing that St. Joseph's would not be providing a quality education.

Mr. Davis: One of the gentlemen indicated there is no benefit to the extension of funding. Educational benefit is something that is in the individual's perception. When you have a school that is housed entirely in portables—and I would assume most educators would agree that delivering a program in a system that has a lot of portables is a negative experience for students and teachers—then there is a direct benefit in the fact that those students could move into a permanent building. Would you agree with that?

When you talk about program choice, I would ask, do you have Latin in your jurisdiction?

Mr. Moss: This is the first year without it.

Mr. Davis: Why do you not have Latin?

Mr. Moss: The students are not selecting the program.

Mr. Davis: Right. So the quality of the options you deliver to students depends also on their choices. If you decide to afford a grade 12 student the option to take Latin and there are five students, as I understand your position, I would assume your board would give those students that option currently, but to do so you increase the PTR in another level, or school X in Cornwall—I do not know your geographical area—will offer the option of Latin to those students who wish to take it. Is that correct?

The Vice-Chairman: Are there any other questions from the committee? Do any of the members of your delegation wish to make any remarks at this point? Only two of you have spoken and a third has made a brief intervention, but there have been two silent partners.

Mr. Guindon: I would just like to ask how many schools in district 21 are at full capacity.

Mr. Moss: Absolutely none.

Mr. Guindon: What is the average? Is it 75 per cent or 55 per cent?

Mr. Moss: I would say 65 to 75. We have undergone a declining enrolment in the last 10 years from a high of about 9,300 secondary students to just over 7,000, if we include St. Joseph's as a secondary school. We have had a massive decline in enrolment. This is one of the concerns we have, to try to maintain complete programming without a co-operative model, which we do not see taking place at this time if the extension goes through and if the demand is there to further fragment that already decreasing student population.

The co-operation in regard to programming is not there. It is there in terms of the superficial dealings, but it is not superficial when you talk about busing and all these costly things. It is a good thing to see that type of thing amalgamating.

What we would like to see is one school board which would deal with the educational demands of the community, which includes religious instruction, and the demands of the public system, which includes language instruction. We have a diverse program of French and English language instruction. Immersion is becoming one of the most popular programs in the English community of Stormont, Dundas and Glengarry. The demands on the schools to increase course production in French is there, as well as all the other demands.

If we continue to fragment and exist as separate entities, in order to do that there is either going to have to be a massive influx of money or a complete reorganization of what we understand as education in the community. We feel the organization should come in the community, that we should be providing an educational community for all with what we have, a unified school board. It makes no sense in 1985 to further segregate and develop a duplication of systems.

Mr. Guindon: I have one more question. A moment ago you mentioned how sharing of St. Joseph's and General Vanier probably stops when you get off the bus or after you have

finished using their computer sheet or whatever. The diversity of Stormont, Dundas and Glengarry is affected by background, creed, language, whatever. Do you think a unified school board could possibly satisfy all the elements we have in our society right now—francophone, anglophone, public and anglophone separate?

Mr. Moss: It has been; and you can add to that native students. We have a large number of native students from a reservation on Cornwall Island who are educated in the city of Cornwall. At the secondary level it has been doing exactly that.

Where we have seen the fragmentation has been at the elementary level, where separate panels have existed and where we have, as I described, a competition where programs develop not necessarily for educational value but because if they do not exist students will move from one system to the other. The separate board was the first one to move in the area of French immersion and large numbers of parents, because they are Roman Catholic to begin with, simply moved their students to the separate system because they could get French immersion. The public board developed French immersion programs because they were losing students.

They will argue that it was educationally viable and all the rest of it, but the numbers were there and you could see that people were moving from one school community to another because of programs. We have the competition there, but we have not had it at the high school level.

What we are afraid of is that competition will become the overall factor, and that where co-operation will exist and where the model will work is before the classroom door. It will work beautifully for busing; and with audio-visual, sharing films and this sort of thing. That is very easy to do and every board should be looking at doing that to save money, but it seems to be stopping at the door because of the demand that it has to be different, it has to be separate and it must be maintained differently. That is what we are worried about.

The Vice-Chairman: Are you suffering from a combination of elements of decline, on the one hand, a natural demographic decline that is affecting our population at large, and on the other hand a loss of population because of industrial dissipation or whatever word you like to use? What are the projections of enrolment decline you are facing in the system, in your high schools in particular?

9 p.m.

Mr. Moss: Projections now are that enrolment decline is sort of bottoming out. It will never increase dramatically. It will probably bottom out to about 6,500 secondary students to be served annually. It will fluctuate lightly but we will not have the massive fluctuations we have had the last few years, with drops of 800, 550 or 700 students in a year. It does not sound like much when you talk about Metropolitan Toronto but when you start with a base of 8,000 and take off 800, that is 10 per cent of the population.

The Vice-Chairman: No further questions from the committee. Thank you very much for coming this distance to acquaint us with your situation from your perspective. I appreciate that we have had other representation from the area. We are getting a fairly composite view of Stormont, Dundas and Glengarry at this point, not least of all from your distinguished member who sits here with us day by day. Thank you very much.

Mr. Moss: Thank you.

Mr. Hill: Thank you for the time.

The Vice-Chairman: The last delegation of the evening is the Ontario English Catholic Teachers' Association's representation from the Hamilton High Unit. If they would come forward please. That is brief 840.

May I just remind those of you who are sitting on the wings that if you do wish to speak just lean into the microphones a bit so you can be picked up by the system. Mr. Mulvale, you are chairing your group?

Mr. Mulvale: Yes, I am.

The Vice-Chairman: If you would introduce them for us, kindly, and then proceed with the brief in whatever way you feel comfortable.

THE ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION HAMILTON HIGH UNIT

Mr. Mulvale: Thank you, Mr. Chairman. If I can begin at my right, we have two of our unit counsellors, Joseph Menegon and G. Schwarz. To my left we have our first vice-president, E. McMahon, our past president John Irvine and another one of our executive counsellors, Joseph Spatazzo.

Mr. Chairman and members of the committee, we thank you for the opportunity to be here tonight to present some comments and perceptions we have on Bill 30. I would like to begin by making a couple of comments on the first few pages and then I will proceed into the body of our brief.

As was indicated to you at the beginning, we are the group which represents the 320 teachers in the Catholic secondary schools in Hamilton. The secondary school system, which consists of seven Catholic high schools, dates back to the year 1912 when the first Catholic secondary school was opened in the city of Hamilton.

I provided on page 2 some figures which were ball-park figures. I would like to be a little more precise today. Our current student population from grades 9 to 13 numbers 6,776 students, of whom approximately two thirds—the number is actually 4,679—will benefit directly this year from the initial phase of completion.

Further down in that particular paragraph: "This year we experienced an enrolment retention increase of"—it is 227 students—"due primarily, we believe, to the promise of completion." I will not read the rest of that particular section on the background.

I would just draw to the attention of the committee the fact that we believe our Catholic high schools in the city of Hamilton offer as comprehensive a program of education as is possible within the limited financial resources we have at this time. Because of that, we do believe our system is well prepared to fulfil the responsibilities that would be placed upon us by Bill 30.

Moving to page 3, the section on general comments, I would like to read through the rest of the brief.

Based on our history of providing secondary education, the Catholic secondary schools in Hamilton-Wentworth are well prepared to meet the requirements of Bill 30, specifically those stated in section 136c, once our schools' share in general legislative grants is as outlined in section 136e. It should be noted, however, that while this legislation goes a long way towards equalizing educational opportunities for all students, public school boards, because of their access to local commercial and industrial assessment, have the advantage in raising revenue beyond the ceilings. Public school boards, in many cases, hold substantial reserve funds to which all ratepayers, including separate school supporters, have contributed. These inequities remain a matter of concern to us.

Although requiring Roman Catholic school boards to prepare and adopt separate estimates for elementary and secondary purposes, as proposed in subsection 136k(2) of the legislation, may appear redundant, as teachers we see merit in extending this practice which is presently required of boards of education. It will mean that Catholic secondary students will benefit

immediately from a higher per pupil grant. This revenue will pay for many expensive start-up costs resulting from completion, including materials and textbooks for senior courses as well as improvements to the learning environment.

Since Roman Catholic school boards will have to clearly identify their secondary school revenue, this will ensure this money is spent for secondary education. We repeat to you, however, our recommendation to the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario that over the next decade the government phase in an equalization of elementary grants to secondary grants, especially since grades 7 and 8 share with secondary schools some responsibility for implementing OSIS.

Rather than examining Bill 30 clause by clause, we will concentrate on several provisions of the bill which are most pertinent to us as secondary school teachers in a Catholic school system.

Concerning accessibility, all seven of our Catholic secondary schools are at or above capacity. Despite this, in continuing our practice from years past, non-Catholic students have been admitted. These students attend out of choice. They have been accommodated despite the strain on facilities, many of which are so overcrowded that the use of portables or classrooms in nearby elementary schools has become normal.

Our willingness to admit non-Catholics as well as to meet the local demand for secondary education by the Catholic community in Hamilton-Wentworth are clearly demonstrated. Our newest secondary school buildings, Saint Thomas More Comprehensive, Saint Jean de Brébeuf and Cardinal Newman Comprehensive were constructed according to specifications for senior elementary schools and, hence, must be radically and extensively modified, if not replaced.

I could provide some figures. Saint Thomas More Comprehensive's capacity is about 470 students. It has a student population of 971. We have three portables serving as classrooms in an adjacent elementary school. Saint Jean de Brébeuf has a capacity of 469. The enrolment there currently is 1,068 students. There are 10 portables and 375 students are at the Southmount building, which is the property of the Hamilton Board of Education. Cardinal Newman Comprehensive is perhaps our most desperate situation right now. The capacity of the school is 541, the

enrolment is 1,480. There are 20 portables on that site.

Meanwhile, there are local public secondary school buildings that are either unused or underused. We remind the committee that those schools were constructed with funds appropriated in part from separate school ratepayers. The whole issue of student access has to be viewed in the context of the above and the fifth principle enunciated by the Minister of Education (Mr. Conway).

We are pleased to see that "unconditional" or "unlimited" access has been rejected since we believe it would be contrary to the principle, as well as impractical in Hamilton-Wentworth. We suggest the principle of suitable accommodation be added to clause 136o(1)(b), although it may already be implied. We endorse strongly the right of a Catholic school board to require that non-Catholic students who choose to attend a Catholic secondary school participate in all school programs and activities. This has been our practice and it should continue.

We do not anticipate a significant increase in enrolment of non-Catholic students, in particular non-Catholics who would fall into the category outlined in section 136o(6). Nevertheless, we do concur with the right of exemption granted for those students in this clause. Simply stated, our position is that it is reasonable to expect all students who freely choose to attend a Catholic secondary school to participate fully in the life of the school.

Beginning in September 1985, the overcrowding at one of our schools, Saint Jean de Brébeuf, is being alleviated to an extent through an agreement with the Hamilton Board of Education. This allows for approximately 375 students registered at Saint Jean de Brébeuf to take all or part of their courses at the public board's Southmount building.

9:10 p.m.

These students, taught by staff from Saint Jean de Brébeuf, share the building with students attending the Board of Education's French language secondary school, Ecole Secondaire Georges Vanier. Such an agreement between the two boards, despite the controversy surrounding completion, demonstrates the potential of positive co-operation. This is, however, only a beginning.

Through adequate funding, reasonable attitudes, and if needed assistance provided by the planning and implementation commission, we anticipate more of these types of arrangements, evolving ultimately to the transfer of unused or

underused buildings. The planning and implementation commission, through its role as defined in Bill 30, will assist in making these arrangements and transitions as smooth as possible.

With respect to designated teachers, the Hamilton High Unit endorses unequivocally the fourth principle as enunciated by the Minister of Education, namely that there should be no unemployment as a direct result of the completion of the Catholic school system. The section dealing with designated persons in section 136l we find generally, but not completely, adequate.

It is our opinion the Catholic secondary schools in Hamilton-Wentworth are presently understaffed, to a great extent a consequence of the lack of adequate revenue prior to completion. The new funding through the general legislative grants will ameliorate the situation. Even without an increase in enrolment due to identifiable changing student enrolment patterns resulting from completion, we anticipate a demand for more teaching staff due to an improved pupil-teacher staffing ratio, lower ceilings on class sizes and a reduction in the number of classes assigned to teachers.

This should result in a significantly improved learning environment for our students and more employment opportunities for teachers. The fear that jobs may be lost due to completion is greatly exaggerated. However, notwithstanding this, we emphathize with the concern of those of our colleagues in the public secondary system who might be transferred.

It would be in the best interests of all if the teachers who transferred from public to Catholic secondary schools did so by choice. Yet the legislation does not adequately address the process of voluntary transfers. This should be provided and teachers who transfer by choice should be included within the total number of those who might be designated according to the procedures outlined in section 136l.

For all teachers who transfer, salary, contract status and seniority should be protected. However, the bill falls short when it fails to protect all benefits and to guarantee for all transferred teachers that the negotiated conditions impacting on the learning environment in which they previously worked are also transferred. Without this protection, transferred teachers could face a workload increase of up to 33 per cent for the same salary.

In Hamilton, the staffing ratio is 17.3 to one in public secondary schools versus 23.3 to one overall in Catholic secondary schools. The

maximum workload in the public system is six classes per teacher per school year; in the Catholic secondary schools it could be as high as eight.

This difference would likely discourage public secondary teachers from transferring voluntarily, and likely distress those who were required to transfer. In addition, these teachers will end up in a weaker bargaining position. Prior to transfer, they belonged to a bargaining unit composed exclusively of secondary teachers; after transfer they become members of one in which secondary teachers are a minority and hence in a less tenable position to protect their own interests. The whole question of the status of this new organization will be examined more fully later in the submission.

Non-Catholic teachers who might be transferred fear they will be at a disadvantage teaching in Catholic schools. There is no intention on our part to discriminate against them. At present, non-Catholic teachers are employed in our Catholic secondary schools. They chose this employment. If the majority of teachers transferred also did so through a voluntary process, this option might lessen or eliminate the possibility of a non-Catholic teacher perhaps finding the ethos of the Catholic school incompatible with his or her beliefs or lifestyle. This unit reaffirms its commitment to provide to all teachers, notwithstanding religion, the same services it now provides.

Though the Minister of Education made clear that no unemployment would result from completion, we feel section 136l fails to address this fully. It does not provide protection for those qualified teachers who were employed only in the senior grades, that is the private school sector, of Catholic secondary schools. Nor does it protect teachers employed in Catholic elementary schools. Since both the elementary and secondary teachers in the Catholic schools in Hamilton-Wentworth are currently covered by the same collective agreement, there is only one seniority list. This raises the possibility that an elementary school teacher might be declared redundant in order to accommodate a designated teacher. Our position is simply stated; neither individual should be unemployed.

Concerns regarding matters not addressed in Bill 30: there are teachers in our Catholic secondary schools who might be adversely affected by Bill 30. One particular group is made up of those who were appointed prior to completion as teachers in charge of organizational

units, identified variously as department heads, chairmen or assistant chairmen.

At the time of their appointment, our Catholic high schools were governed only by those sections of the regulations that applied to elementary schools. Therefore, although regulation 262 requires that organizational units exist in secondary schools, and requires further that the teacher in charge must have specialist or honours specialist certification, the existence of organizational units in elementary schools is permissive and no minimum qualifications are stated.

Consequently, in our Catholic secondary schools, individuals were appointed as teachers in charge of organizational units who do not now possess the stipulated qualifications. These teachers are now caught in the transition. Despite years of professional experience, must they now give up their positions? Must they take an additional qualifying course, which may well prove to be redundant?

To remedy this, we suggest a grandfathering provision, whereby these individuals would be deemed to be qualified to retain their positions. One precedent we cite is regulation 262, subsection 10(2), whereby a principal or vice-principal who did not possess a bachelor of arts or bachelor of science degree when that became a requirement for the position after September 1961 was deemed to be qualified by virtue of experience.

Another concern of our members is that the bill does not guarantee that all teaching experience in the private sector of the Catholic secondary schools prior to completion will be fully recognized for purposes of seniority and eligibility for retirement according to the regulations of the Teachers' Superannuation Commission. The welfare of these teachers warrants as much protection as that of designated teachers.

The greatest single concern of our membership at this time is to be clearly and legally recognized as a distinct group of secondary school teachers. Though we will work alongside the designated teachers—a regular day-to-day contact which will do much to facilitate the transition; and though we have demonstrated our commitment to Catholic secondary education, so that to us will fall most directly the task of “preserving the unique mission of the Roman Catholic secondary school,” the fifth principle, we may still be denied a status comparable to that of our other teacher colleagues. We have expectations for a significantly improved learning environment to better meet the needs of our students. To assist us in achieving this, we seek recognition as a

distinct group of secondary teachers within the teaching profession.

Our colleagues in the public secondary system are recognized as a distinct group of teachers. They have a legislated right to representation and collective bargaining. Through exercising their rights, they have helped to make the public secondary system in Ontario one of the best in the world. They aspire to do the same for the new publicly-funded Catholic secondary school system.

Current legislation, however, does not accord to us the same rights. We are denied full collective bargaining rights as a distinct group of teachers. We are compelled to participate jointly with our elementary school colleagues who form the majority of teachers employed by Catholic school boards. Our priorities for a learning environment are quite different. Although the elementary teachers are quite sympathetic and supportive at times of our priorities, they cannot be expected to share the same intensity of commitment that we have.

It should be noted that distinct groups of teachers employed by public school boards are legally recognized, as branch affiliates of the Federation of Women Teachers of Ontario, the Ontario Public School Teachers' Federation—employed in the same elementary panel in schools—and the Ontario Secondary School Teachers' Federation.

Within our board, the teachers employed in the French language elementary schools are recognized as a distinct group, a branch affiliate of l'Association des enseignants franco-ontariens. They, though numbering fewer than 40, have those legislative rights to representation and collective bargaining that have not been granted to our more than 320 members.

This situation frustrates us. Hence we request that within the proposed legislation, teachers employed in Catholic secondary schools be recognized as distinct groups of teachers employed by a Catholic school board, and that these teachers be accorded similar rights and privileges to those currently granted to other groups of teachers employed by public and separate boards.

In conclusion, the Hamilton High Unit is determined to make completion work in the best interests of all students in Hamilton-Wentworth. We remain convinced that it will not be at the expense of the public secondary schools in the region. What completion will enable us to do for the Catholic community in Hamilton-Wentworth is to provide an improved educational experience

for our students in a Catholic school setting. Once again, we thank the committee for the opportunity to present our views and we look forward to the final passage of this legislation.

The Vice-Chairman: Thank you for your carefully considered and well-presented brief. I wonder if there are any questions from the committee.

9:20 p.m.

Mr. Davis: I will ask a couple. On page 5 you remind the committee that those schools were constructed with funds appropriated, in part, from separate school ratepayers. I do not think, gentlemen, there is anything that is against you, except to point out to you that not only were the schools constructed with funds appropriated from the separate school ratepayers, but also the children educated there were from the separate school. I think that becomes kind of a quasi red herring.

I recognize, and I think my colleagues on the committee recognize, that as we talk about the transfer of buildings and so on we have to recognize that the separate school, the public school ratepayers and the ministry all contribute both educationally and with funding to that sector. We have to come up with something that is appropriate and that recognizes those factors. I think that is a falsity, but I am very interested. I must commend you; you are sharp.

Can I ask you a question? I do not know this. Do you have the right, in your negotiating processes, to disenfranchise yourselves from the process in which you have become secondary school teachers, in respect to the same kind of thing as the Ontario Secondary School Teachers' Federation?

Mr. Schwarz: No.

Mr. Davis: Can you explain to me why you do not have that right?

Mr. Schwarz: I wish you could explain it.

Mr. Davis: I can, but I would like to know what your interpretation of it is.

Mr. Mulvale: What I am referring to here is that the current legislation under which we bargain with school boards recognizes only branches of the affiliates.

Mr. Davis: Who recognizes that?

Mr. Mulvale: That is the legislation itself. In the definition of a bargaining unit—

Mr. Davis: To be recognized?

Mr. Mulvale: This is the School Boards and Teachers Collective Negotiations Act and under Bill 100.

Mr. Davis: Okay. Now you are recognized as a component of the elementary teachers.

Mr. Mulvale: Yes, we are recognized as members of the Ontario English Catholic Teachers' Association; as a branch, because we are employed by the same board.

Mr. Davis: But it is the same with public school boards. Their secondary teachers and their elementary teachers are employed by the same board.

Mr. Mulvale: There is a difference.

Mr. Davis: That is why—

Mr. Mulvale: In that case, you have three clearly identified affiliates—actually four, because l'Association des enseignants franco-ontariens participates in many cases as well. There are perhaps four clearly identified affiliates. Each of those affiliates has the right to bargain separately. It means you could actually have two separate bargaining units for the teachers employed in the elementary public schools. You could have the Federation of Women Teachers' Associations of Ontario and the Ontario Public School Teachers' Federation. They generally join together. That is by mutual agreement.

At the secondary panel, you could have a bargaining unit composed of members of OSSTF; and if there is a French-language secondary school, as exists in Hamilton, you have one composed of both. In other words, they have a right there. Unfortunately, the affiliate that we belong to is the Ontario English Catholic Teachers' Association—I do not mean to suggest it is unfortunate that we belong to them, but unfortunate because the legislation does not recognize the Catholic secondary school teachers as a distinct group. It lumps us together with the elementary school teachers.

Mr. Davis: If you wish to break away from that organization you now belong to and establish an organization that is known as the Ontario Catholic secondary teachers' organization, how do you do that?

Mr. Mulvale: First, let me point out there are some members who would prefer that option of what you might call a sixth affiliate. However, we are not saying that is what is necessary in this case. Legislation could be amended so that—

Mr. Davis: Let us assume for a minute we are not going to amend the legislation. How do you do it as an organization?

Mr. Mulvale: How do we do it right now?

Mr. Davis: Yes.

Mr. Mulvale: We do not have any legal right to do it now. That is our problem. That is why—

Mr. Davis: No legal rights in respect to Ontario legislation, or no legal rights in respect to the separate school boards directly?

Mr. Mulvale: No. That is why we bring it to the attention of this committee. We do not have that right now, yet we are requesting that something be done to accommodate—

Mr. Davis: So you cannot negotiate that?

Mr. Mulvale: We cannot negotiate separately, no.

Mr. Davis: What I hear you saying is that if you had that right, no matter what your bishops say—there was a statement made last weekend by the cardinal, I guess, that he felt it was “un-Catholic” for teachers to demand equality as found in the public school system. What I hear you saying to me, and correct me if I am wrong, is that you would like the right to create an organization of secondary teachers in the separate school panel who then would probably strive to have the same kind of benefits as they have in the public school system.

What I am talking about is class size. I am talking about the number of periods you work. I am talking about salary grids. Correct?

Mr. Mulvale: That is correct.

Mr. Davis: So the cost of education goes “ching, ching.”

Mr. Mulvale: I cannot say that I have any control over this.

Mr. Davis: I do not deny what you are saying, but that is what I hear you saying. Am I correct? I want to hear you say it.

Mr. Mulvale: You are correct, yes.

Mr. Davis: As I understand it, and I really do not understand this, by the present legislation of the province, not the separate school boards, you are prevented from following that through.

Mr. Mulvale: That is correct.

Mr. Irvine: To emphasize your point: we bring it before the committee on Bill 30 because we feel that as a result of Bill 30 the legislation should be changed. It is not until September of this year that we legally came into existence. Bill 30 created us, legally. Therefore, the legislation within Bill 30 should take on that responsibility. Prior to September we were elementary teachers and as such we were governed by that legislation. As of September, we have a different status.

Mr. Davis: You are new.

Mr. Irvine: Yes.

Mr. Davis: Interesting.

Mr. Reycraft: Interim.

Mr. Davis: No. Interesting. Thank you. You have answered. I trust you will negotiate that in your own negotiations; and I appreciate that.

Mr. Mulvale: Thank you for asking.

Mr. Davis: Should I talk to your bishop now?

Mr. Mulvale: No. I think he will know.

The Vice-Chairman: Perhaps, Mr. Davis, that is one of those items we might consider on our supplementary list.

Mr. Davis: Yes. I think it is fair and just to at least afford the Catholic community—and I say this in all seriousness, and I have not given it a lot of thought—the right as teachers to what is applicable to the public school board.

They should have a right, because with all respect, even though this is an extension of the funding kindergarten to 13, and although the ministry—Mr. Chairman, you would know this better than I do—continues to insist the public system is kindergarten to 13, the ministry really realizes it is kindergarten to grade 8, plus a grades 9 to 13 system. That is why we have those kinds of bargaining units. I think that is fair and just. I would support that thrust.

I am not sure what your bishops will say to you; and I have copied your names down, gentlemen.

Mr. Mulvale: Next time I will look for a pastoral reference to quote from.

Mr. Reycraft: On that topic, there are other jurisdictions—Alberta comes to mind specifically—where, instead of having a number of teacher federations, one organization represents all the teachers in the province. I am interested in a reaction to the Alberta model.

Mr. Mulvale: We have not actually examined the Alberta model in any sort of detail, but up to this point I have heard nothing from within my membership to indicate we would want to move to a province-wide system of negotiations, which I believe is what, in effect, exists in Alberta. We would prefer to remain with the right to negotiate with our school boards, our immediate employers.

Mr. Reycraft: I was not referring to negotiation as much as I was to the representative body, instead of having a number of them, each of which competes with the other four or five or six.

Mr. Mulvale: And each has its own unique interests, too. We are asking to be identified as a distinct group.

Mr. Reycraft: I just invited a reaction, possibly the wrong one.

The Vice-Chairman: I think the request is clear, and you are obviously not trying to launch yourself into another provincial tradition. You are in a provincial tradition that really has not moved in that direction, and what you are asking in that context does make some sense.

Mr. Reycraft: On page 5, you state that unconditional or unlimited access would be contrary to the fifth principle as enunciated by the minister. Why do you think it would be contrary to the principle?

Mr. Mulvale: The fifth principle does say that the distinct mission of the Roman Catholic school boards will be continued through the legislation itself. If you were to adopt a practice of unlimited access, you, in effect, are inviting the possibility that you will have more non-Catholic students than Catholic students in a Catholic secondary school.

9:30 p.m.

We believe that a Catholic secondary school exists primarily to serve the Catholic community. We are saying that, of course, we recognize already that in Hamilton non-Catholics also wish to participate, but we believe there should be at least some criteria that apply there. The criteria are the right that we have now and the right that would be continued in Bill 30 to require of them participation in all programs if they choose to attend, and also accommodation. We simply do not have the buildings, the space.

Mr. Reycraft: But in reality is not your access policy really unconditional now as long as they agree to be involved in the complete program?

Mr. Mulvale: If by unconditional you would mean as well that the Catholic school board would require of the students that they participate fully in the school programs, then that is not a problem for us. But if you are suggesting unlimited access with the right of exemption—

Mr. Reycraft: No.

Mr. Mulvale: —then that is a different story.

Mr. Reycraft: You would not argue if the access was unconditional as long as the exemption provisions in Bill 30 were unchanged?

Mr. Mulvale: That is right. The exemption provision makes sense to us where there are cases of hardship or lack of programs or so forth. We have said we concur with that part of the bill.

Mr. Reycraft: I understand why parents of Catholic students want to have an elementary separate school system and a secondary system,

but what is the rationale behind having a day school adult education program?

Mr. Mulvale: The day school adult education program is a new experience in Hamilton. It was just initiated this September. I must confess I am not familiar with all aspects of that at this time, but it would seem to me that again it is an attempt to respond to a perceived need in the Catholic community.

There are adults who have not yet completed their education but who want the opportunity now. They are to a great extent reluctant to attend a regular school. We are talking about adults ranging in age from 18 to 45. They do not want to be in the regular school so we set up a separate program for them. Again, it is to respond to what we perceive to be a need in the Catholic community.

Mr. Reycraft: I have some difficulty seeing why a 45-year-old man who is interested in improving his education would be uncomfortable in a non-Catholic educational environment.

Mr. Mulvale: It is quite possible that the public school board will offer the same program. What we are saying is that the same opportunity that exists for education in the elementary schools or education in our secondary schools, should exist as well for the adult education program, which is to meet the needs for elementary and secondary education for adults.

Mr. Reycraft: Dangerous, dangerous ground. What is your reaction to the need for a separate university or college educational system?

Mr. Mulvale: I understand this to be an attempt to meet the requirements of basic education. I am referring back now to the policy statement made by Premier William Davis, and that did not imply university—

Mr. Reycraft: You are also referring back to 1841 and the Act of Union with your reference to basic education.

Mr. Mulvale: The adult day school program is an attempt to meet that basic educational need.

Mr. Reycraft: I am unconvinced.

Mr. Davis: I want to pursue that because I think it is ludicrous. Let us be honest. The reason it started in the public educational system is to encourage job opportunities for teachers. There is a direct kind of competition between the public school board, which has declining enrolment, and community colleges, which are attracting adults to go to school.

So the Ontario Secondary School Teachers' Federation in consultation with the local board

said, "Let us establish upgrading processes, and what we do in effect is increase class size; and mandated by the ministry you get staffing on that basis for each individual student."

By getting staffing, you protect teachers' positions. In effect, that happens in the Catholic system, in all due respect. I understand what you have said is, "If the public board is going to do it, we are going to do it because it does the same thing."

There is no differentiation between a Catholic adult taking adult education in a public board or in a separate board. Would you agree with that?

Mr. Mulvale: No. However, I want to go back to the beginning of your statement. I think you are directing your question to the wrong person. I really think you should be asking it of the director of education and the board.

Mr. Davis: I will.

Mr. Mulvale: Before you go any further, I would like to point out we were not even consulted on this matter by our board.

Mr. Davis: I would doubt that you were.

Mr. Mulvale: The program was initiated by the separate school board. We were not invited to participate. It has not created a single job for a secondary school teacher in our unit. In fact, the teachers who are currently employed in the adult education centre are employed at an hourly rate; they are not considered members of our association by the board.

Mr. Davis: Are they supply teachers from your association?

Mr. Mulvale: No. Our supply teachers are not members either. They are not covered by that. They are paid in an entirely different scale.

Mr. Davis: Are they non-Catholic teachers?

Mr. Mulvale: Within our supply teachers I would not be surprised to find non-Catholic teachers. I cannot say for certain. The teachers in the adult education program are not members of my particular unit, so I cannot state whether there are any non-Catholics. We have not actually reaped a single pecuniary or job benefit.

Mr. Davis: At present those teachers are not in your day program.

Mr. Mulvale: The adult education program operates between 9 a.m. and 4 p.m.

Mr. Davis: Are they in your classrooms in your board?

Mr. Mulvale: They are in a school. Actually, it was formerly an elementary school which has now been converted into the adult education centre.

Mr. Davis: Let me ask you the question again. Are any adult students in your regular classroom taking, for example, typing?

Mr. Mulvale: No, not that I know of.

Mr. Davis: Not yet.

Mr. Mulvale: Not that I know of.

The Vice-Chairman: This is the school Mr. Reyecraft opened in Hamilton and it is catering to the needs of the adult basic education organization there. It is not specifically a separate school entity in itself, but the separate board is providing the location in which that program can happen.

Mr. Mulvale: The separate school board is also paying the staff.

Mr. Davis: If you had the right to negotiate as a separate secondary school association, would you want those individuals to be within your organization?

Mr. Mulvale: There is no doubt we believe anyone who teaches in the day school program, who is offering secondary education, should be members of our bargaining unit.

Mr. Davis: Let me ask a pragmatic question. Do you believe as educators there should be a differentiation between separate and public continuing education or do you agree what is imperative is that, for those individuals who wish to take adult education, it be done as some kind of co-operative venture?

Mr. Mulvale: I think if it could be done in a real, true co-operative venture between the boards, then that would not necessarily provide us with any difficulty, although we would still maintain we should have a share in offering that service. At this point, both the Hamilton public and separate school systems offer alternatives in continuing education, night school and summer school programs and so on.

Mr. Davis: I understand.

Mr. Reyecraft: I was a little surprised at your comment about the teachers' superannuation fund and the way it related to the teachers who are in the private sector of Catholic secondary schools. I understood they now have the option of paying into the teachers' superannuation fund and that could count for credit towards their 90.

Mr. Mulvale: I will turn it over to Mr. Irvine.
9:40 p.m.

Mr. Irvine: There are none currently, but I think as of six years ago the separate school board made sure that all working teachers had at least some grade 9 and 10 component. Until then, some teachers taught only grades 11, 12 and 13. Back in the days when there was a shortage of

teachers some of them taught for several years on letters of permission or a letter of standing of some sort. They did not make any contributions to the teachers' superannuation pension because they were not certified and they were teaching in a totally private sector.

In discussions I have had with the Teachers' Superannuation Commission, I found there does not appear to be any access for them to pay it back for those years. They do not expect to get it for free. They would like to be able to make the contributions now with interest. Some of them have lost six, eight or 10 years of pension. That would not have happened if they had been funded at the time.

There are not a lot of them. One may find about 100 of these teachers in the province. We would like those few teachers that are left to have the right to be able to pay back for those years in which they were totally in the private sector. They were not certified some of those years. They were meeting a need for the children at the time.

Mr. Reycraft: Have you made a submission to the biennial review which is currently under way?

Mr. Irvine: We have made some attempts through our provincial association to speak to them. I do not know how that went. We made a petition to the planning and implementation commission as well. We also spoke to our representative, Mr. Scott, who is a commissioner on the commission. We have not heard any response.

It is our intent to pursue it this year. We have been caught up writing reports for this particular body and the previous commission. That is basically complete. We are now going to work on some of the other issues and write further reports.

In our area there would be two or three teachers; we are the second largest. I do not see it as a major problem to be handled. However, we still want to protect these people.

The Vice-Chairman: I have one question with respect to your observations about the preparedness of the Ontario English Catholic Teachers' Association for taking on the task of representing non-Catholic teachers in the system on a nondiscriminatory basis. I am wondering about the experience you have had with that up to this date in your unit; whether you found any difficulties in managing that kind of representation, on the one hand; and whether any non-Catholic teachers in your unit have any problems relating to your organization and participating in it fully, on the other hand.

Mr. Mulvale: I will make a couple of comments from my position as the unit president, a position I have held previously as well. I am aware of some members who are non-Catholic. They have certainly made me aware of that fact. However, I could not state with absolute certainty there are more non-Catholic members in our unit because we do not differentiate on that basis at all.

I am not aware of a single case in which there has been a problem I considered to be discriminatory in any sense. We have had non-Catholics in our system as classroom teachers and as department heads. I do not know of any incidents that have occurred. We made a statement that as the executive of the Ontario English Catholic Teachers' Association, Hamilton High Unit, we represent all of our members. I do not ask them whether they are Catholics or non-Catholics.

The Vice-Chairman: Do they have any problem with full participation? Do they come out to all your activities? Has any one of them at any time become an executive member?

Mr. Mulvale: Yes, we have had non-Catholic members who have become members of our executive. They participate in all aspects of the schools. We had a rather interesting situation at one of our schools. The teacher who looks after the music program, even for the masses and religious services that are held in the school, and prepares it, gets the choir together and rehearses it, is not Catholic. However, she sees no difficulty at all in promoting that program.

The Vice-Chairman: I see Mr. Davis has been teased back into the argument.

Mr. Davis: He asked a very good question. Let us deal with the teacher who is non-Catholic and teaches music. Would you defend to the nth degree her right to marry outside the Roman Catholic Church?

Mr. Mulvale: We would be prepared to defend any teacher against whom disciplinary action was being taken.

Mr. Davis: Would you defend her to the nth degree?

Mr. Mulvale: We are prepared to provide the services, yes. We do not guarantee the outcome.

Mr. Davis: I did not ask you that. You would be prepared to provide her with all the competence, lawyers, staff and support she would need, even though she was married outside the Roman Catholic Church?

Mr. Mulvale: I believe I am speaking not just for our unit but on behalf of our provincial

association in saying those rights of membership exist for all of us.

Mr. Davis: If she had an abortion, would you do the same?

Mr. Mulvale: If there were disciplinary action resulting from that, we would provide the services.

Mr. Davis: Good, thank you.

The Vice-Chairman: Is there anything further or are there any comments from those who have not participated? Thank you very much, gentlemen, for coming across from the other city and being here. I welcome you especially, of course. It has been a very interesting and wide-ranging evening. Mr. Davis has felt very expansive tonight.

Mr. Davis: I just want to say I wish them luck in becoming an independent bargaining unit for Catholic secondary teachers. I am glad to see we are represented by at least one NDP member tonight, Mr. Allen, and I certainly think he has done an excellent job as the chairman.

Mr. Irvine: I would like to take this opportunity at a public meeting to thank Mr. Allen as the only member of the provincial parliament ever to

come to a Catholic teachers' office and discuss these matters. I thought it was an excellent thing he did for us and we appreciated his time. Thank you very much.

The Vice-Chairman: Thank you very much. It was a pleasure to meet with you.

Mr. Guindon: In your office?

Mr. Irvine: He came to our office and talked to us and asked about our concerns, both elementary and high school.

Mr. Davis: That is pretty good for a Presbyterian.

The Vice-Chairman: I remind members of the committee to take everything with them since we are not going to be in this place tomorrow. Second, we are reconvening on Monday after routine proceedings.

Clerk of the Committee: Possibly in committee room 1 or maybe committee room 2.

The Vice-Chairman: It is not necessarily here, so look at the order paper to see which committee room we are going to be in.

The committee adjourned at 9:47 p.m.

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- Irvine, J., Past President
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Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Monday, October 28, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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Vice-Chairman: Allen, R. (Hamilton West NDP)

Bernier, L. (Kenora PC)

Davis, W. C. (Scarborough Centre PC)

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Monday, October 28, 1985

The committee met at 3:39 p.m. in committee room 1.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

COMMISSION FOR PLANNING AND IMPLEMENTING CHANGE IN THE GOVERNANCE AND ADMINISTRATION OF SECONDARY EDUCATION IN ONTARIO

Mr. Chairman: I call the meeting to order. We return to the question of the second-year guidelines that have been established by the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario.

I thank the commission for returning to spend with us the remainder of the afternoon or however long it takes to go through the remaining couple of documents. I think we agreed we do not need to go through the memorandum of September 25 and that it should be used just as a resource for people. There was a feeling it would be useful to go through the plan documents so we would know what has to be filled out and so we would have an idea whether it answers all our concerns. There is also the impact statement. My proposal is to go through them page by page. I will take questions as they arise and direct them, as appropriate, to commission members.

Before we do that, it is ironic that the day after you were before us last week, a group came before the committee; I think it was the Lambton group. They said that in the course of their discussion with the Lambton board one of the things they were concerned about was they had had no real way in the past of documenting the number of students who were being lost to their system by going to a neighbouring county system. They thought the only means of recording the impact on their board was by dealing with their coterminous board.

The first thing I will ask the chairman of the commission is whether their concern about their capacity to indicate the impact on their board of students going to a separate system outside their

own county is dealt with directly by the documents they now fill in.

Mr. Newnham: Thank you for the opportunity of coming again.

In the case of the Roman Catholic school board, at the top of page 3, subsection 2(iii), there is a heading, "From which Board(s) Does the Board Purchase Instructional Services for Resident External Pupils?" These are meant to be pupils who live within the separate boundary but who go to an outside board for education. In the case of a board of education, there are places in the impact statement where that could show.

Mr. Saunders: The information for resident external pupils should provide us with any information about the number of pupils going from a separate school board to a neighbouring separate school board, and therefore indirectly about the impact on the board of education.

This past year, for example, one of the major problems in assessing the plan for the Prescott and Russell County Roman Catholic Separate School Board was the fact it was sending its pupils outside the board to other boards. They were going to have an impact on the board of education by so doing and therefore they had to sort out the assignment of a teacher from the board of education to make sure a teacher was not displaced by the shift of pupils.

Mr. Chairman: I will ask Mr. Allen to take the chair for a moment while I go to make sure we get the money we need to pay our bills for the remainder of the summer session. I hope to be back in four or five minutes.

Mr. Newnham: Is it your wish that I go through this quickly, once over lightly, or would you like to do it page by page? What is your direction?

The Vice-Chairman: I do not know whether the members have any special feeling in that regard. Going through it quickly would give a sense of the flow and the totality of the thing. Then we could come back. We could perhaps earmark the pages we want to come back to if there are any problems and deal with them in the light of the whole document.

Mr. Newnham: The order in council that established the commission required it to call for board plans from which it would draw informa-

tion and the advice to the minister would be based on that information. The plan in front of us is the development of the one we used last year. On page 1 we ask for the board resolution that authorizes the implementation and the date of approval, unless it has been submitted in the previous year.

On page 2 is the summary description of the enrolment based on the September 1984 retention rate as the most accurate statistic we will have. It will very soon be based on two years, September 1984 and September 1985.

On page 3, the data that will be gathered from this will be important for staffing adjustments as well as grant purposes. In subsection 2(v), boards of education collect wind-down grants on those statistics, so they must be accurate.

The section on page 4 yields information on movement towards full programming of the Roman Catholic school board, including the range of courses offered, the levels of difficulty, special education and availability of technological and business studies courses.

Of course, it has been the policy of the commission that the separate boards move towards full programming for two reasons: The first is for the sake of their students and the second is the ultimate development of the boards of education.

Page 5 deals with secondary schools with less than average enrolment. The average enrolment in Ontario secondary schools is 897. A figure of 500 pupils was arbitrarily chosen. Of Ontario secondary schools, 21 per cent have fewer than 500 students. It was felt the answers to the questions appearing on page 5 and subsequent pages would allow an assessment of the effectiveness of the resulting school.

On page 6, "accommodation" shows who owns what, what is available and what is being used. One of the criteria we discussed last week was the availability of suitable accommodation for programs.

Page 7 gives an idea of the present ownership of some of the private school facilities and whether there will be continuing access to them.

Page 8 continues on accommodation and the assurance that it will be available for the 1986-87 school year through sharing with boards, private schools, leasing space, portables and so forth.

Page 9 asks the Roman Catholic school board to set its plans for the future. This almost ensures that a longer view is being taken and that the commission is apprised of the planning.

Concerning page 10, our hearings showed us and yours will have made clear that it is common

to find boards of education and separate school boards that are co-operating on transportation and a number of other things. We hope these will continue and expand.

Minority-language instruction is set down on page 11. With the exception of Cornwall, Ottawa and Sudbury, French instruction has been provided by boards of education. For changing a French-language school to a Roman Catholic school board there would have to be assurance that such was the wish of the French community and its advisory committees. They are elected and would provide that.

3:50 p.m.

Page 12 deals with student enrolment and assesses the degree of co-operation between or among the boards including arrangements made in the 1985-86 school year by the board to make courses and facilities available to students of the board of education, courses purchased, and arrangements made by the board of education to do the same thing for separate school students. That gives you an indication of co-operation.

Continuing on page 13, you get into the 1986-87 year for courses and facilities. Point 3 at the bottom of the page asks for a listing of the number of non-Roman Catholic students who are enrolled due to the various points that have been included in Bill 30.

In section F on page 14 the commission is monitoring the actual personnel transfers there have been to date. In (g) data on the male-female balance for hiring is sought. That is continued on page 15, not only for teaching but also for nonteaching personnel.

On page 16, copies are asked for of the policy on the employment of non-Roman Catholic personnel in subsection 3; and transfer of displaced personnel in subsection 4.

It is hoped that the section on page 17 will elicit information on the consultative climate. It is a little more pointed than it was last year. Last year was the beginning year. This year is an expanded year. We are trying to get a feeling for how much consultation there has been with regard to accommodation, services, joint programming and so forth.

Page 18 is identical to the sheet that was used last year. This indicates there has been a meeting and they have conferred. One or two of the directors of education felt they were being asked to approve and that has not been the case. It was felt last year there was an advantage to having this page and I think there has been. It is repeated this coming year. I hope that some years down

the road it would be met and agreed upon, but for now it is a matter of conferring.

Page 19 is quite similar to last year's. It was effective last year in getting a picture of the anticipated enrolment over a six-year period. Essentially the same forms have been used this year as were used last year. One change is that last year's projected 1985 is now actual 1985, but apart from that it is essentially the same. Similar changes are made on page 20.

On page 21 we are dealing with majority language and on page 22 we are dealing with minority language.

One of the forms on page 23 would be filled out for each school in the system. It gives a picture of the kinds of instructional and other space, and the extent to which it is loaded and whether there would be space available or not.

On page 24, the assumptions made in projecting the enrolment in table 1 can be set forth, such as retention percentages or any pertinent information the separate board feels is worth listing.

That is once over lightly.

The Vice-Chairman: Thank you, Mr. Newnham. Are there questions from the committee on the document? Are there any single elements in it that you want to raise?

Mr. Davis: There are a number of questions I would like to raise. Rather than jumping all the way around, we can go through the pages again in a sequential order. If other members have questions, they can raise them at the same time.

The Vice-Chairman: Where do you want to start?

Mr. Davis: Page 4.

The Vice-Chairman: Does anybody have any questions on anything prior to page 4? None? Okay.

Mr. Davis: With respect to special education programs and services, what will be the commission's stand if in that section, for example, you have a board of education with a school for fine arts with a registration of 30 per cent separate school students, which the coterminous separate board decides to incorporate into its services of delivery and, therefore, that program is put in jeopardy? Would you look favourably on allowing the coterminous separate board to develop that program or would you encourage it to buy that program? That has happened.

Mr. Newnham: Mr. Chairman, with your approval, I am going to ask Mr. Nelligan to answer this. My question to Mr. Davis, first, would be, in the hypothetical instance, how

many students would be in the program to begin with?

Mr. Davis: Six hundred, if I understood the case that was brought before us.

Mr. Newnham: Thirty per cent would be 180, so 420 would remain.

Mr. Davis: I have forgotten the breakdown. It may even be higher than that.

Mr. Nelligan: This question was raised in passing at one of our commission meetings within the last month. The position the commission took, if you can call it a position at all, was that the viability of public school programs has to be protected. You have to keep in mind, too, whether it is a real program. You require a certain number to operate in the public system. If the separate system is jumping in with one third the number, obviously it does not have a viable number, if the figures were correct in the first place.

You have one system starting off that would not be viable. It would make you wonder why the separate board would do that if it could not offer a successful program, leaving another one with fewer students. The commission would encourage them to get together to work out some co-operative arrangement.

Mr. Newnham: May I add something to that answer? It is a concern to the commission in certain areas, where the separate board, because dollars have not been made available in the past to build shops, for example, has bought those services from the board of education. If this is allowed to continue, and it is a natural path for it to continue because the board of education is being pressured by its teachers to keep the programs going, the separate system becomes the elite, academic system. We in Ontario seem to have a special feeling for things purely academic.

In such cases it is going to be a difficult problem because we will have to try to persuade boards of education to part with a school in which they have a high degree of personal identification and interest, so the separate system can offer full programs to its people and emerge as a parallel system, which will enable both to have equal prestige in the community.

Mr. Davis: I understand that. I am pleased to hear the commission say that in those special-program schools such as fine arts there will be an encouragement that deals with the concerns of the citizens of this province in respect of the duplication of programs and services, especially on high-cost programs.

When you talk about sharing the buying of technical programs and when you look at the technical programs across the province, because of the Ontario Schools, Intermediate and Senior Division curriculum guidelines, when it all declines, even with the separate school being able to purchase programs, it will follow the same direction as the public sector. Students are not entering into the technical programs. I foresee continued recommendation for the separate boards to purchase technical programs. Do you agree?

4 p.m.

Mr. Newnham: Yes, I think so, but I hope it does not work that way. I grant you that machine shops and some fields are changing through automation but we are still going to be driving cars, they will still have engines and body work will still be needed whether it is for fibreglass or metal.

Some of the technical programs are going to have to continue—electrical for the building trades, and so on. The submissions that we received from the separate boards are quite right, as Mr. Davis has said. Many of them said, "Our approach to the technical field will be different." Because of the requirements of the communities, perhaps it will not be as different as some of them are expecting.

Mr. Nelligan: If I may add another point, this did come up at our meeting and I took the liberty of calling my former board to find out what areas were co-operative areas. I think you are familiar with them, Mr. Davis. There are a lot of programs right now where, even in a system as large as Metropolitan Toronto, there are not enough pupils to justify a school in every community. The Metropolitan Separate School Board is fully involved in purchasing services, if you like, in major areas, for the physically handicapped, for the blind and for the crippled.

There are examples of where a separate board could possibly have gone on and established its own program, but it was in its interest and in the interest of the children to co-operate in the programs in another board. One is run by the city of Toronto, two are run by the North York Board of Education and one by the province.

There are also provisions for these section 16 schools, where I found there is a tremendous amount of co-operation. For instance, the Metropolitan Separate School Board operates eight units to which the public school children have full access. There is no indication given at all as to what school they are supporting; they are just into it. That board is operating eight. I did not

check on the public boards, but I imagine they are operating more where there are separate school children attending.

The point I am trying to make is that there are examples in the province where these highly specialized programs are shared between the boards now, perhaps on a larger scale than a lot of us are aware of.

Mr. Davis: I want to talk about the trainable retarded. Up until Bill 82, those services were provided completely by the Metropolitan Toronto School Board and the cost factors to the people of this province were directed in a shared responsibility to one entity. They are more split, except that the more hard-to-service students are still retained by the public boards.

That is why I want to commend the commission for saying that, in its opinion, in those jurisdictions where there are specific programs already in existence, the viability of the program will have first and foremost preference. As a result, co-operation will be urged rather than developing coterminous programs. Certainly one of the concerns that has been brought to us as a committee is the duplication of costly programs.

On page 5 I find it amusing, interesting and ironical that the commission has chosen 500 as an arbitrary figure, which I seem to have been discussing for many months.

The Vice-Chairman: You are both being equally arbitrary now.

Mr. Davis: That may be, but it is interesting to see that they have now seen the light. I have problems with the use of phrases that continually appear in Bill 30 and continually appear in here, such as "determining the best possible secondary school programs for all secondary pupils in the community." I hope, as the commission goes on, and before we get into the detail of Bill 30, we will get a better clarification of that.

Earlier in our sessions we asked the minister for a definition of "viable," and he said he would deliver that to us after he had talked to the commission. Perhaps the data are already available for us and we can ask if they are now ready for us to look at.

The Vice-Chairman: I have a suspicion of the form in which it will return. I presume the figure of 500 is simply a trigger figure; you are not hanging a great deal on that number. If I read this correctly, it is just a downward moment at which you begin to look at other complications and ramifications of numbers.

Mr. Davis: Yes. I never indicated it was anything more.

Mr. G. I. Miller: Did you make a statement on the average of the numbers of the schools around Ontario?

Mr. Newnham: Yes.

Mr. G. I. Miller: What was the figure?

Mr. Newnham: The average is 897. To define "average," there are as many above as there are below. I happen to have some other statistics here if Mr. Miller would like them. They are of some interest: 9.9 per cent of Ontario secondary schools are under 300; 15.9—

Mr. Epp: Pardon me, but are you referring to public schools, not separate schools?

Mr. Newnham: I am referring to public secondary schools: 9.9 per cent are under 300; 15.9 per cent are under 400; 21 per cent under 500; 28 per cent under 600, and 42.2 per cent under 800. Just for interest, it shows the disparity there is across Ontario.

Mr. G. I. Miller: Are the smaller schools mainly in rural Ontario?

Mr. Newnham: Yes, rural and northern Ontario.

Mr. Davis: I am not very good at math. Of the 42 per cent that are under 800, does that include all the schools under 800—in other words, schools that have 600 and schools that have 500? In effect, are you saying that 42 per cent of the secondary schools in this province have student enrolments of under 800?

Mr. Newnham: Yes.

Mr. Davis: Total number?

Mr. Newnham: Yes.

Mr. Davis: I understand it now.

Mr. Newnham: Excluding junior high schools. Public secondary schools.

Mr. Chairman: Is there anything further? Can you update me? Were you dealing with the whole category on page 5 at this point?

Mr. Davis: We are going page by page. If we have questions we—

Mr. Chairman: All right. I am just trying to find out where we are. Page 5, marginal secondary schools. Are we dealing with the whole item at once?

Mr. Davis: Yes.

Mr. Offer: As a supplementary on those figures, the percentages you have just given us are quick snapshots. Can you give us some sense of whether the percentage of schools under the 500 or the 400 mark is levelling off and if the percentage is decreasing, or should we expect a continued increase in that percentage? How

might we be able to give some meaning to those numbers?

Mr. Newnham: I will ask Mr. Thomas to answer that because he was with the ministry until about a year ago and he is closer to it than I am.

Mr. Thomas: Because of declining birth rates and, to some extent, as a result of the extension policy, the number of schools in each of the categories will be increasing. There will be more schools under 800 in the future than there are today.

Mr. Saunders: I might add that there has been a steady creep down; it is not a dramatic change that takes place year to year. The average size of secondary schools is decreasing by about a dozen pupils each year during the period of declining enrolment, so there is going to be a slight creep upwards in the proportion of small schools. But all schools are decreasing in size.

Mr. Offer: Do you find the decrease in schools is declining? For instance, it is not 12 per year now. It may now be falling down to 10 per year and we might have a levelling-off process.

Mr. Saunders: If my memory serves me, we are probably in the trough now of the secondary school decline. It should be levelling off, probably in another two to three years.

4:10 p.m.

Mr. Epp: What makes you say that?

Mr. Saunders: The statistics of projections for secondary school enrolment. We are in the period of the most rapid decline right now, but the rate of decline will slow down somewhat commencing in about three years.

Mr. Epp: The rate of decline will slow down and there will not be an increase.

Mr. Saunders: No. The way the elementary school enrolment looks, you had better not look for an increase in secondary school enrolment until the next century.

Mr. Epp: People have to become more prolific and we have to have more immigration.

Mr. Saunders: Our yuppie society does not produce children.

Mr. Chairman: Some of us are very late in helping this out.

Are there any further questions on this? If not, we will move on to the next matter, accommodation.

Mr. Davis: I have a general question. In the uses of accommodation of space—I do not see it here, but it may be in some other form—will you be asking about the usage of space by individual

boards for their own programs? For example, space in school X, where four or five classrooms are used for the physical education department, it may be used for a teachers' prep area. Will you be digging that information out? It is not in this section here.

Mr. Saunders: There is no place to provide for this except in the accommodation information on page 23, which gives some sense of it. We are concerned about administrative and work areas.

Mr. Davis: If we are talking about space availability and a school has space in a wing that could accommodate several classrooms from a separate school, but the school has decided to use that additional space for other than educational purposes that meet the needs of that school, be it three rooms for physical education or whatever, will you be able to dig that information out so you will be aware of the actual amount of available space?

Mr. Saunders: Essentially, that kind of information would turn up indirectly out of table D in the impact statement. It does not take too much assessment to figure out that in a given school the classroom space is being used pretty generously.

Mr. Davis: Okay.

Mr. Chairman: Is there anything further on the question of accommodation, on pages 6, 7 or 8?

Mr. Davis: As I went through these pages, and I may have missed it, nowhere does it ask about the separate school board asking for transfers of buildings. The committee is well aware that is one of the contentious issues. Is the commission telling us that in the second year of extension there will not be a need for the transfer of buildings? If that is so, when does it think we will see the first indication from a separate school board put down on paper of a transfer of a building?

Mr. Newnham: On page 7 the question is asked regarding continuing access to privately owned buildings, which nudges into it. On page 8 we are looking for assurance for 1986-87. This page asks: "How does the board intend to meet these needs?: Sharing with board of education? Sharing with private schools? Leasing of whole school buildings? Leasing space from the board of education? Leasing space from private schools? Obtaining additional portables? Other?" If there were a request for a total transfer, it would come under "Other."

Mr. Davis: Do you think it would be more appropriate if that was spelled out? As we have

gone across the province, there have been indications to us that at some point a separate school board is going to ask for the transfer of a building. That is one of the realities this committee is here to deal with. It does not appear.

Some boards jump the gun, such as in Essex county and so on. At the same time, that should be spelled out. I am concerned that as we go down the road a separate school board will say it needs an additional building. At that point they want to transfer facilities. Then comes the whole issue of the public board saying, "Yes, we are going to give you school A in location Y," and the separate school saying, "We want school B in location X."

That should be spelled out a little more than "other." That should state "transfer of accommodation, transfer of buildings" as we go down the road.

Mr. Newnham: The direction we have been given from, first, the Premier's statement, from the Minister of Education (Mr. Conway), with whom we happened to be speaking at the time, and from each area associated with government, has been that sharing and leasing are to be preferred to the provision of capital. Of course, the transfer of a building is capital. The impact statement as well as the board plan we are talking about has to be read in connection with the criteria memorandum. Under "Accommodation and Facilities" it is quite blunt: "Accommodation is to be appropriate to the program provided," and "Because of the lack of capital funds, arrangements for sharing or lease of accommodation are expected if space is available."

On the basis of last year's experience, we have not foreseen, except in growth areas, the need for a school building. If a Catholic board felt there had to be a school building, apart from the half-dozen growth areas—and I am going to be meeting with their directors, as I mentioned in our last brief—the transfer of the school, in short, is not a pressing thing at this time. It would probably be preceded by the sharing of accommodation.

If there is other direction coming from the committee, we would be happy to get it. But those are the clear messages.

Mr. Chairman: From the committee's perspective at the moment, where we may go with legislation or guidelines is second to just the information-sharing about what you are asking for at this point. Mr. Davis's point is just that this area could be clearer. If you were getting "other," you would probably want more informa-

tion if they are not following the norms of the two suggested approaches you talked about. Therefore, you might want more detail.

I presume there would be nothing to stop you from requesting more if, instead of getting one of the first six filled out, you got number seven with no explanation except that they wanted to transfer a building. You would probably then ask for more information. But at this stage we are just trying to see what information can be gleaned from the document. At the moment that is an area where they could put in transfer, but there does not seem to be a place there for further explication.

Mr. Newnham: In our judgement, that will not be coming up this year. On page 9 we ask for elaboration on a board's accommodation plans for the future, 1987 and beyond. At that time grade 12 will be included—at least, that is the expectation. The growth plans will be clearly in place, substantiated by the retention factors and so forth. Some of the board plans this past year included growth factors of 100 per cent in the basic plan. It may be greater than 100 per cent if it is a growth area, but in general it will not be.

Perhaps the transfer of schools is not going to happen quite as soon. I would be happy if transfers of buildings were not going to take place in the current year.

4:20 p.m.

Mr. Davis: I have just a question of concern. If I am correct, on page 9 the transfers of buildings will show up. The commission implemented it so there would be no transfer of schools. In their second year there is no transfer of schools. Perhaps the commission could indicate to us when they assume that they would see the first expectation or request for the transfer of a school.

Mr. Newnham: I would think shortly after the passage of Bill 30.

Mr. Davis: That is about what I thought.

Mr. Chairman: We are a couple of years away from that.

Mr. Davis: In essence the commission is really saying—and I assume the Minister of Education is saying it at the same time, since he approves the new guidelines that are in front of us—that until the passage of Bill 30, everything will be done that is possible in the form of encouragement—I will use that word rather than “force”—for sharing. Once Bill 30 is passed, then the separate school jurisdictions may find the transfer of buildings as part of their parcel. What the commission is doing is going year by year.

Does the commission have an indication from its research when there may be a request for a transfer of buildings?

Mr. Newnham: My answer is that the commission is not going year by year. It is requiring enrolment data for a six-year period. We will have retention factors for two years available some time this coming month. The trends will become apparent for each of the 38 board areas where the plans were started this year. These forms reflect the experience from last year, yes. So there will be warning. We will see these needs, in my opinion, coming down the road before they are here.

Mr. Chairman: There is nothing to stop a Roman Catholic separate school board from asking for a transfer at this stage. You have in fact allowed that under “other.” It is being discouraged, and you are presuming it will be discouraged even after Bill 30, within the six-year mastication that you are putting forward.

But I do not understand what your concern is, given that they do have the capacity to lease entire buildings at this point.

Mr. Davis: That is right.

Mr. Chairman: Therefore, the assumption of control over a particular major public board space is there at this stage. It is just that the overall transfer will probably take place later if it looks like that.

Mr. Davis: I am concerned in the sense that we have set up expectations. I think of the village of Harrow in Essex county, where there was a statement by the separate school board on school jurisdictions they wished to be transferred. It just seems to me much fairer and clearer if that is spelled out as a transfer of buildings.

The commission has said it expects to have a six-year enrolment figure. It would know those areas, so that at least the public boards and separate boards can begin to look at that realistically before you have the same situation you had earlier this year with a separate board making a statement.

I commend the minister and the commission. It has been our statement from the beginning that sharing is the way to go. But at the same time, there is another reality out there. That is all I am asking, and I got what I wanted.

Mr. Newnham: May I add two more things as supplementary? I think that is the term you people use.

Mr. Chairman: It means that these items will now extend the debate for another two hours.

Mr. Newnham: No, just two comments. One is on central Sarnia, where an empty building has been made available through lease. Another one is École secondaire Thériault in Timmins, where the building will remain the property of the board of education but, effective this January, through board agreement the responsibility for the program will go through a superintendent who is an employee of the separate board. So there is not rigidity in approach; that is the point I am making. Boards certainly contact us freely on all matters.

Mr. Chairman: Mind you, supplementaries sometimes develop other questions.

Mr. G. I. Miller: For clarification, can there be three-board agreements? For example, in the Tillsonburg area, very close to the Haldimand-Norfolk Roman Catholic Separate School Board and the Elgin and Oxford boards, might there be a three-board agreement to provide a facility at Tillsonburg for separate schools?

Mr. Newnham: It is possible.

Mr. G. I. Miller: Has that been considered?

Mr. Newnham: It could be possible, yes.

Mr. Chairman: Let us move to transportation, ending on page 10. Are any of the members concerned that things that have been raised with us about transportation would not be covered by these fairly broad questions 1 and 2?

If not, we will move on to minority-language instruction.

Mr. Davis: Do I understand from the commission that the suggestion in Bill 30 of en bloc transfers right away will now depend on the wish of the French-language advisory committee, so that FLAC could say it would prefer to stay with the public board? In other words, there would be consultation before the en bloc transfer of the francophones.

Mr. Newnham: Yes.

Mr. Davis: That is new, correct?

Mr. Newnham: This particular page, you mean?

Mr. Davis: No.

Mr. Newnham: Or the process?

Mr. Chairman: It is not enunciated on this page.

Mr. Newnham: I do not think it is new, no.

Mr. Davis: You mean that even in Bill 30 they had the right not to do en bloc transfers? Was not the indication of Bill 30—I stand to be corrected—that the minority-language francophone school

that is now operated by the public board would automatically be transferred? No?

Mr. Chairman: The possibility of it, but the transferring was—

Mr. Davis: That depends on the discussions. Okay, then I misread that.

Mr. Chairman: Other matters in this section? This is a very open-ended section. I presume as well that the areas of concern would be easily identified at a local level.

Mr. Newnham: Yes.

Mr. Chairman: We can move on to student enrolment figures. Are there questions from committee members or comments from members of the commission? The major concern in this area would be whether the programs being offered and requested are being provided. The questions focus on that pretty well.

Mr. Davis: I have a question on page 13. Concerning the guidance personnel going into each jurisdiction, what happens if one board refuses? Can it? Maybe it cannot. I do not know.

Mr. Newnham: Yes, they can. Boards have the right to refuse. We have used the word “encourage” again. We hope guidance personnel from public boards would be welcomed in separate boards. Guidance personnel from separate boards would be welcomed into public boards to explain to students programs that are there, because we foresee the day coming when there will be some programs in each system to which students in the other system will want access. In the developmental years perhaps this will be taking place in some places—we hope in all, but maybe not. We will follow up on it, and this will enable us to know what is happening.

Mr. Chairman: There is no amendment to make the reporting mechanism an obligation; it is just a major encouragement.

4:30 p.m.

Mr. Newnham: The absolute requirement is for the printed material. The availability, of course, is to be made known even if the personnel do not go in.

Mr. Davis: So the printed material must go between the two boards and be distributed to the students.

Mr. Newnham: Yes.

Mr. Chairman: That is a start.

Let us move on to personnel transfers. I was wondering whether there was any change in this section of the questionnaire from the first year.

Mr. Newnham: Yes, (g) is expanded. We had representatives of the commission staff at your

hearings until Labour Day. After that we did it by reading, because we could not afford the people. Your hearings and ours resulted in the inclusion of (g).

Mr. Chairman: Are they concerned about female representation or just about proportionate representation? That will be recorded anyhow and will therefore make those boards sensitive to that issue.

Mr. Newnham: Yes.

Mr. Chairman: The question is how we mandate it. Legislation is another question altogether for us.

Is there anything else on the question of personnel transfers?

Mr. Allen: I do not know the specific page of the question, but to come back to the contiguous-board question that we were dealing with earlier, you indicated there was a mechanism for discovering what transfers of students there had been across jurisdictional boundaries. What provision is being made for responsibility for the teachers displaced in those circumstances? Perhaps in that jurisdiction most of the students might be transferring across jurisdictional boundaries, and the contiguous board would therefore be technically responsible for the displaced-teacher or designated-teacher transfer arrangements.

Do you have a way of encouraging those kinds of negotiations at this point so that responsibility is clear? The term "contiguous board" is not used in any of our discussions at this time in your forms or in Bill 30.

Mr. Newnham: Mr. Thomas can answer and give an example.

Mr. Thomas: The coterminous Roman Catholic separate school board assumes responsibility for the displaced staff. If that board has a transfer of students to a third board for the education of the students, we would be satisfied if the displaced teacher were engaged by the third board.

If the students, for example, from Prescott and Russell are educated in the Ottawa Roman Catholic Separate School Board, a displaced teacher from the Prescott and Russell County Board of Education might be engaged by the Ottawa RCSS board in order to comply with the requirement that displaced teachers cannot be unemployed.

Mr. Allen: Which board continues to maintain the guarantees in that question? Does the coterminous board take the responsibility to see that employment is found in the contiguous

board, the Ottawa board? When the hiring does take place in the Ottawa board, then the Ottawa board assumes the responsibilities under your guidelines, and presumably under Bill 30, if that arrangement follows.

Mr. Thomas: The coterminous board assumes the basic responsibility for the teacher in ensuring both the employment and the conditions of that employment to meet the criteria of the commission.

Mr. Chairman: In this case, the Prescott and Russell board would be responsible for that protection, but the RCSS board in Ottawa would actually be doing the employing.

Mr. Thomas: That is correct.

Mr. Chairman: That is interesting. It could leave the teacher with a problem in that the Ottawa board is really not responsible for that person and may not decide to provide all the protections; there is no job in the Prescott and Russell board, and yet it would be responsible. Who looks after the grievance of the teacher in all of that?

Mr. Newnham: That is an interesting one because the Prescott and Russell separate board sends students to not one but three contiguous boards; namely, Stormont, Dundas and Glengarry; Carleton, and Ottawa. There was a meeting at which all these things were thrashed out to satisfaction.

Mr. Chairman: Further on, in the personnel transfers, I will move to (d), consultation.

Mr. Davis: Again, they ask about the consultation with the neighbouring Roman Catholic—oh, that is the Roman Catholic separate school.

Mr. Newnham: It is not with the board.

Mr. Chairman: From their side, they are essentially discussing what it has been about and then the number of times they have met and at which board.

Mr. Davis: That is with the boards of education as well? What happens if the board does not want to meet?

Mr. Chairman: There would be a short list of meetings, I presume.

Mr. Newnham: Yes. We have done everything we can to encourage it. We received impact statements from all but six boards of education last year. If the board of education does not meet, then we do everything we can to substantiate the figures and the information on the separate plan. Because this is a government policy, we do not

feel a board of education should have the right to veto it and we have proceeded without it.

Mr. Chairman: It is likely to happen again with this one, given the deadline and the fact the court will not have ruled. Certain boards will still take the posture that they should not be participating.

Mr. Newnham: This is how the slip-year system arose, from a director of education in Toronto. The year after, assuming the bill will be in place, that transfer cannot be lost.

Mr. Chairman: Moving along, there are tables here for enrolment data.

Mr. Davis: In the consulting section, it asks those who met and it needs the board of education and the director of education. In there, I assume, would be the chairmen of the boards and local federations. That is on page 18. "Representatives of the board of education noted below have met and conferred upon the contents of the plan."

Mr. Newnham: No, these are representatives of the board of education meeting with those of the separate board. These are the boards responsible for education.

From the beginning, the commission has urged consultation and involvement of the federation groups, but this is for those parties responsible for offering the program, responsible through the ministry to the Legislature.

Mr. Chairman: For official meetings between boards. Whether they have involved their federations is something you do not pick up from that information.

Mr. Newnham: No.

Mr. Davis: It is possible not to pick up the trustees.

Mr. Newnham: The director is responsible to the board.

Mr. Davis: But in some of those impact statements the directors had simply read and signed them, so the trustees were not involved in that kind of sharing.

Mr. Newnham: "Representatives of the boards have met and conferred." That would mean to us that if the board representatives have not been there they have said to the director, "Will you go and represent us at this and report back?" or they would be satisfied with the liaison.

Mr. Davis: I would be much happier if next year it indicated trustees, the chairman of the board and teacher federations. That would give the commission and the minister a much better

understanding of who is being consulted and who is not.

4:40 p.m.

Mr. Thomas: If I could add to Mr. Newnham's answer, while the document in question does not ask for all that data, in actual fact many of the boards had committees of trustees, supervisory officers and, in some cases, teacher representatives working on the consultation between boards.

In most, if not all, instances, the director of education of the board of education took the plan and the impact statement to a meeting of the board of education before it was submitted to the commission, so boards were informed. Of course, the separate school board directors of education took their plan to a board meeting before it was submitted to the commission.

Mr. Chairman: I guess the question is, how do you know, because it is not on the form? You obviously got that information. I think we can take that as a friendly suggestion. For our purposes, we are quite anxious to know just who had participated and who had not and the areas where the federations, for instance, were actively involved and the areas where they seemed to be shut out. Recording minutes and who attended and that type of thing would be useful information to have in the future.

The consolidated enrolment data table. There is the projection of personnel requirements to handle the additional enrolments that are on page 21. They become the crucial tables, I presume, in determining how many people should be actually transferred but they seem quite detailed.

Then on page 23 we have a description of the classroom spaces to be used or the internal accommodation.

Mr. Davis: If I could ask a question about the accommodation again, I will ask it in this section rather than the other one. What happens when you have a city that has five secondary schools and one separate school and the separate school requires an additional 12 classrooms because of overcrowding; as you go through, you find in the five secondary schools that there are 10 or 11 classrooms that are vacant but they are spread among the five schools?

Is it the intention of the planning and implementation commission to ask those public boards to consolidate in order to free that space up or what would you do with that?

Mr. Nelligan: I think you would find there would be discussions encouraging them to consolidate space, taking into account just what

the space requirements of the separate school board are. It may be that it could work that way, but you cannot operate a school with different classes in five different locations—or it is very difficult to operate that way. I think it would be a case of trying to encourage some kind of consolidation.

Mr. Davis: I would like to follow up with two quick supplementaries. If you do that, if you encourage that kind of direction, the impact on those five school communities will be tremendous when pupils are being asked to move from school jurisdiction A down to school jurisdiction B.

The question is, how do you decide that is in the best interest of the public educational system?

Mr. Nelligan: One thing the commission has learned in going around the province is that the matter of accommodation is a very sensitive one. As we mentioned at our last meeting here, there are strong emotional local ties. It almost defies logic; it is almost emotional in its attachment. The commission is aware of that and it would try to work towards a satisfactory solution sensitive to this kind of concern.

We are not trying to circumvent the thing. We have not got it solved; we have discussed it several times. We are hoping that encouragement could be made. If a public school can consolidate without destroying its programs, we may have to take that into account; maybe there has to be some other arrangement worked out.

I hope we can work towards some solution without upsetting everybody. What the answer is, I do not know, except that it is a very delicate situation.

Mr. Newnham: We hope it will be worked out locally by the two boards to the advantage of the students. Mr. Davis is thinking of areas where there is geographical distance between any two schools so that the students' school day would be lengthened appreciably if you started moving them all over. If the schools are fairly close together, that is one thing; if they are farther apart, it is a more severe problem.

Mr. Chairman: Is there anything further on that item? There are the assumptions made behind the figures in the table that is in appendix A on that document.

Let us move on to the impact statement and we might use the same methodology. Take us through it quickly and then we will go back over it. Many of the questions will probably have been answered on the first run through.

Mr. Newnham: Last year we received all but six impact statements from the boards cotermini-

nous to the separate boards. One of the six did not submit it but had prepared it and used it in discussions, interestingly.

Page 1 lists elementary and secondary school enrolment data for the board. On page 2, projected enrolment changes, the actuals for September 1984 and 1985, and the assumptions are as listed. The bottom half of this page is an attempt to discern the shift in enrolment as a result of the policy.

Page 3, personnel requirement changes for majority-language instruction programs. Page 4, personnel requirement changes for minority-language instruction programs, which is a parallel sheet to page 3.

Page 5, again the secondary school accommodation sheet and one of these would be filled out for each secondary school. Page 6 is a listing of the consultation that has taken place under each of the six categories. Page 7, the consultation continues and we find this is very useful in assessing the impact. We used it a great deal last year.

Page 8 is the signature place to indicate a meeting has taken place. Page 9, student programs, what provisions will be made for minority-language instruction at the secondary level and so forth.

Page 10, this is a new sheet and the single-school-community issue is addressed. This will bring out some information.

Page 11, the elementary school impact. This arose in our hearings and yours. It was recognized last year but was not needed for the planning. This year we will determine if there is a problem and this sheet is designed to help us identify it.

4:50 p.m.

Page 12, personnel transfers.

Page 13, the impact of extension on staffing by sex is sought here. This is responding to our hearings and yours.

Important accommodation data will arise on page 14.

Page 15 asks for board strategies; namely, their planning approach in each of these categories.

Mr. Chairman: We will take the questions as they come. Many of these are parallel items to the plan we have seen, just reflecting the impact on the board, and are identical.

Concerning the enrolment data, are there any questions on pages 1 or 2 where the differentiation between numbers of transfers and the projected enrolment is enumerated? No?

Moving on to personnel requirement changes for majority-language instruction programs.

Mr. Davis: In many school jurisdictions the vice-principals are assigned to a school by the number of pupils enrolled in the school. I forget what the figures are but it is possible that if 10 or 12 students move, the school loses its vice-principal. How does the commission deal with that? Does that mean the vice-principal has lost his position?

Mr. Newnham: No.

Mr. Davis: I do not think it does but in effect it has reduced that school, because of the shift of enrolment, from a vice-principal, which is a common criteria that is set by the boards arbitrarily. It is not negotiated, although in some jurisdictions it may be.

Mr. Chairman: I see people nodding in the audience.

Mr. Davis: Has the commission run into any problem in some areas?

Mr. Newnham: No, not to this point.

Mr. Davis: Not yet.

Mr. Newnham: No. This is something that would be raised by our contacts or directly with the commission. We will be aware of it because you have brought it up but it has not come to our attention.

Mr. Chairman: We had one group before us—I cannot remember which now—with an 800 trigger. If we are going to have more schools under 800 in the next little while, it could have an impact, obviously, depending on the system.

Mr. Davis: I was concerned about whether any of those figures were negotiated.

Mr. Newnham: They are usually negotiated in the collective agreements.

Mr. Davis: If they are negotiated in a collective agreement and you drop below that number because of the enrolment shift, then there is an impact on that collective agreement. Since it is an enrolment shift because of the extension, would you, as a commission, say the vice-principal stays in the position and ask them to change their trigger figure?

Mr. Newnham: That would be the responsibility of the employing board. The commission would not do it.

Mr. Chairman: In other words, you anticipate there would be a local reaction between the federation and the board involved to make some accommodation. If there was not, the board would be obligated to protect the position, as it

would a principal's, one would presume. There would be no differentiation.

Mr. Newnham: No.

Mr. Chairman: Page 3 resembles another in terms of the plan, minority-language personnel changes, then there is the accommodation page, a page which is similar to that asked of the separate school board.

Moving on to consultation, pages 6 and 7. On page 8 we have fewer lines for meetings anticipated from the public board than we had for the Roman Catholic board. I find that an interesting layout change. Is there a reason for that that I might have missed?

Mr. Thomas: Yes. Some of the separate school boards have many boards of education that are coterminous or coextensive. The Metropolitan Separate School Board has seven boards. Very few boards of education have more than two separate school boards that are coterminous.

Mr. Chairman: That explains it. It just tickled me that you might get two different ideas from the same boards on how many meetings took place because of the limitation on the number of lines. That is the way my mind works on Monday afternoons. Thank God, it is not Friday.

Is there anything about student programs? Any concerns about items that might be left out of that on program? Neither 9 nor 10?

Regarding the elementary school impact, on page 11, I note you left this wide open. There is just a question and a very large page for people to write on. Can you give us your thoughts on that?

Mr. Nelligan: The issue has been raised that there may be an impact, and I think the commission agreed in principle that if there is an impact there should be an obligation on the separate school board to accommodate the teachers. We do not know what impact there is going to be or how it will show up. If there is an impact, we will let them describe it on their own.

As our chairman mentioned a moment ago, we have been told there could be a problem. We will see if there is one and submit whatever information we think will draw us to that conclusion.

Mr. Chairman: Are you anticipating an anecdotal kind of response with some attempt to quantify but not expecting that to be too clear in the first year?

Mr. Newnham: At least to flag it.

Mr. Chairman: The systematic approach to actually recording it may be something that you will develop as you start to learn how people have identified it, accurately or inaccurately.

Mr. Newnham: Yes. As I mentioned at our last meeting, we will be watching it both ways too, because one of our commissioners says that in her area it may well be the reverse of what was anticipated.

Mr. Chairman: Anything further on the elementary school impact? No?

Personnel transfers? Anything on those two pages of items?

Mr. Davis: This is again a general question, but I want to clarify it for my own understanding. Even though you may use a slip-year, the ultimate responsibility is for the separate school somehow to accommodate those public school teachers who lose their positions because of the extension.

Mr. Newnham: That is right.

Mr. Davis: So it is the number of positions lost that they are somehow responsible for in that period of time?

Mr. Chairman: I do not mean to restrict the kinds of questions by dealing with specific line items, if you will. I think it is important that we see how the general concerns we have raised or the concerns that have been raised with us find themselves reflected in forms. Unless you ask the general question, you are not going to find out whether the specific line item actually deals with them.

Anyone else on that matter? All right. On accommodation? Those are two very broad areas requesting information. This again is in response to what the Roman Catholic board would have put into its plan and, I guess, the response of the board to that.

On planning, is there anything on page 15 in terms of the strategy for dealing with the shift?

I guess this item and others raise a general question for me. Although this would obviously be used as the document by which you, as a board member on either board, would try to record statistically for the commission what your best judgement was on your particular area, you are not limited to this as your presentation to the commission; there can be other information, if you do not feel it fits. The commission encourages that, I presume.

5 p.m.

Mr. Newnham: I think Mr. Nelligan would like to respond to that. My immediate comment is that the answer is ongoing telephone contact. In some cases we have sent commissioners to visit, to find out and to help. We have sent staff to have meetings and to report back. We have also had representatives of boards come to the

commission office. So your assumption is totally correct.

Mr. Chairman: Thank you. Mr. Nelligan?

Mr. Nelligan: No. That covered it, thank you.

Mr. Chairman: It is nice to see that you have one mind on these things.

Are there any other matters from the committee members outside of the documents?

Mr. Allen: A small one occurs to me in connection with the Roman Catholic separate board plan; it relates to the issue of the transfer of nonteaching personnel at the staff support services level.

We had some fairly pointed questions put to us by some employee groups with regard to contracting-out arrangements. Is there any purpose in your soliciting information from the Roman Catholic boards with regard to whether they have instituted or practice contracting out in a particular area of their support services?

I am thinking of a situation where in this very year of transfer such personnel might become eligible to transfer or be designated from the custodial service, for example, while in the same year the board reports it is contracting out the service. What is your response to that kind of situation with regard to the board's responsibility for those personnel?

Mr. Newnham: I am going to ask Mr. Thomas to answer. Before I do, I have to say that sometimes the best of us have oversights. The statement made in the House by Premier Davis referred to teachers; it did not refer to the people who make the teaching possible in many instances. Right from the beginning we spoke to the minister about that and included it in our statements. Some of the concern may go back even to that oversight.

The commission has been aware of it and has tried to make absolutely clear in its forms and every other way that we are talking about everybody who works in the educational vineyard and that if the jobs are threatened, to make sure they realize they are included.

Mr. Thomas: The commission in its public hearings had representations from groups and individuals concerned about the point Dr. Allen has raised. The position of the commission is identical for professional and nonprofessional staff who are displaced. The separate school board is responsible to engage support staff as well as teachers and other professional staff who are displaced as a direct result of extension. The separate school board, whether it contracts out all

or part of its work, is still responsible to engage the staff who are displaced.

Mr. Allen: I see. We may have more trouble with the bill than you have with your policy.

Mr. Chairman: Does that deal with the situation where two maintenance people have been termed redundant because of the transfer of a school and therefore would be protected, but the board at the other end is in the process of contracting out totally? Those two people somehow would be protected, but anybody else in subsequent years could not be because there would be no such thing as a custodial position at the other end.

Mr. Newnham: My understanding of this is the same as Mr. Thomas's. For the Roman Catholic school board plan to be recommended to the minister for his action, the two jobs you mention would have to be protected. The board would have to agree to the hiring, and separate boards have done so without exception.

Mr. Chairman: Are there any other matters to be raised? If not, I had something of a throwaway comment at the beginning of your presentation the other day, Mr. Newnham. It had to do with the feedback you have had from the various boards around the province about the new forms and memoranda. Can you tell us about anything we have not noticed but which they consider to be difficulties or concerns? What sort of response have you had from the various boards?

Mr. Newnham: I think I said at that time there had been three telephone calls for clarification.

Mr. Chairman: Right.

Mr. Newnham: Have there been any more? What is the response?

Mr. Thomas: There have been a few more. Mr. Saunders might answer that.

Mr. Saunders: I guess there have been one or two calls a day; they are mostly from boards asking for information about one part of the form or some clarification of the question. The impression we have from the phone calls is that the separate school boards are finding the forms helpful to them in their planning.

I have talked to two people from boards of education who are concerned about a couple of the questions. One, for example, was the elementary school question. The point made was that they could not give very quantifiable data except they are trying to identify switches of

public assessment. We have not had very much comment one way or the other, nor did we have much comment about the plans last year.

The response last year after they had gone through the process and submitted the plans to us was fairly positive. Last year, they started out by looking at the forms and thinking, "Oh, this is going to be an awful pain in the neck to fill out all this information." In the end, they felt it was kind of helpful to them to have to go through the exercise of thinking their way through the implications of a lot of the data that were being provided on these tables.

Mr. Newnham: There was one letter asking that the date of November 29 not be adhered to and that it be postponed to March 31. We have to realize that the original date was six months ahead of this. Realistically, planning has been going on since early in September 1984, if not before that. A lot of the material there is already in the file; some of it requires board action, but quite a bit of it can be taken out of the files. If it were postponed past that date, it would back things up and would impact on schools' operation next September.

Mr. Thomas: I might add to the answer to your original question. The commission staff and I meet with the regional directors or their representatives from the regional offices of the Ministry of Education to go over the plans in advance so that if boards have any questions that are directed to their regional offices of the ministry, they can be answered. There might be some questions that are handled in that way.

Mr. Chairman: Thank you very much. Are there other things members want to raise? If not, for the committee, Mr. Newnham, Mr. Saunders, Mr. Thomas, Mr. Nelligan, thank you again for taking the time to spend with us. It has been helpful for us to get a good idea of the nitty-gritty of how the commission is operating and the kinds of questions that boards will be responding to as we move on, we hope, to other stages in our work in preparing the legislation.

Again, thank you very much for coming. We appreciate it.

Mr. Newnham: It has been our privilege to come. We are very happy to do so.

Mr. Chairman: The committee is adjourned until orders of the day tomorrow.

The committee adjourned at 5:09 p.m.

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Monday, October 28, 1985

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No. S-75

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Tuesday, October 29, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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Vice-Chairman: Allen, R. (Hamilton West NDP)

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Reville, D. (Riverdale NDP)

Reycraft, D. R. (Middlesex L)

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Tuesday, October 29, 1985

The committee met at 3:35 p.m. in committee room 1.

EDUCATION AMENDMENT ACT (continued)

Mr. Chairman: I call the meeting to order. There are three presentations this afternoon. The first is from the Halton Board of Education and is exhibit 841. Would the Halton board come forward? Why not bring up some supporting characters? That is always useful. Mrs. Fisher, would you introduce your colleagues for us from left to right so we get them for Hansard and then get started?

HALTON BOARD OF EDUCATION

Mrs. Fisher: On my left is Bill Priestner, who is a separate school trustee on the Halton Board of Education, and Jerry Jenkins, who is our superintendent of finance. On the right is Mrs. Anne Fairfield, who is a public school trustee on the Halton Board of Education representing Oakville; Bill Harrison, a public school trustee on the Halton Board of Education representing Malton, and Wally Beevor, director of education. I am Betty Fisher, chairperson of the board.

Mr. Chairman: We have your brief. Perhaps you would like to lead us through it and then we will open it up for questions following that.

Mrs. Fisher: The Halton Board of Education wishes to place on record its opposition to Bill 30. We strongly believe that the way the extension of funding was brought forward to the Legislature is ill-advised and totally inappropriate.

Since that time, the Halton Board of Education has seen no indication that the intent of the standing committee on social development, post-election, is any different from the pre-election Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario. It appears to the Halton Board of Education that both committees believe their mandate is to work out the difficulties in the extension of funding, but to proceed in the end regardless of mounting opposition.

We believe that if Bill 30 is approved, the established Catholic heritage of the Roman Catholic separate school system will be eroded.

Quality of education in both systems will be greatly reduced, especially in the areas of program availability and the financing of education.

Bill 30 pits boards against boards, parents against parents, students against students and religious institutions against religious institutions. The effect of Bill 30 on teacher morale, and thus school morale, will be devastating.

If Bill 30 becomes law, the Halton Board of Education would like to be guaranteed that:

1. The implementation of Bill 30 shall be the sole responsibility of the Ministry of Education.

Under Bill 30 the implementation commission will have the responsibility for implementing the extension of funding. The Halton Board of Education opposes this on the grounds that the implementation commission is a quasi-political body that has no accountability to the people of Ontario and very little accountability to our elected representatives in the Legislature. The Minister of Education (Mr. Conway), it appears, will distance himself from the proceedings and let the board sort out disagreements with the commission.

Further, if Bill 30 is to be implemented by 1988, it seems reasonable that a sunset clause be included in Bill 30 that would render the implementation commission's role null and void by 1988.

2. Boards of education, both public and separate, shall share the same responsibilities.

As it is known, there are many differences between the public schools and the separate schools in the area of programming. We believe that programs such as technical studies, business studies, special education and the like must be provided for the students in both systems.

Requirements under government bills such as Bill 82 should be strictly adhered to by both systems. Therefore, the human resources needed to serve the individual student needs must be the same in both systems.

A board of education should have no liability for any former employee currently employed by the coterminous separate school system.

3. Students and teachers in both systems shall have the same rights.

Students in both systems have a right to equal curriculum. Students in both systems have equal

right to accessibility without religious declarations or oaths. Students in both systems have equal right to nondiscriminatory practices of any type.

Teachers in both systems have equal right to nondiscriminatory practices in hiring, firing or promotion. Teachers should have equal opportunity for leadership training. Teachers in both systems have the equal right to teach prescribed ministry curriculum, unencumbered by religious components. Teachers of both systems have the right to teach in both systems without the encumbrance of religious declarations or oaths.

All nonteaching staff should enjoy the same nondiscriminatory rights afforded to teachers and students.

4. Public school supporters' tax contribution shall not increase as a result of the implementation of Bill 30.

It is an established fact that the proportion of funds allotted in the government of Ontario's budget for educational purposes has decreased significantly over the past 10 years. In fact, in 1972 the commitment was 25 per cent, whereas in 1982 the commitment was a mere 13 per cent. The Halton Board of Education believes this lack of financial commitment by the government of Ontario must not continue.

We demand guarantees that any loss in tax support up to ceilings would be compensated by an increase in grants in the same amount and that ceilings would be increased considerably to reduce the over-ceilings expenditures that must be absorbed by a lower tax base. In short, the local taxpayer should no longer make up for the government's lack of financial commitment to education.

5. Taxes shall be paid to the school board in which a student enrolls.

As it now stands, Catholic ratepayers may pay to either system depending upon (a) where they wish their taxes to go, or (b) where their children are attending school. As public school ratepayers of non-Catholic status, we do not have that luxury.

Further, it is our understanding that if a Catholic student wishes to attend a public high school, that student will be registered as a Catholic student in a public school and taxes will be directed towards the separate school system. This, we totally oppose. We believe it reasonable to assume that when a student chooses to attend a certain school system, that student is registered with that system and the taxes and grants flow to that system.

6. In the event that the previous guarantee is not adopted, public boards shall have Catholic school representatives and Catholic boards shall have public school representatives.

Since all students will have complete accessibility to both public and separate school systems, and assuming that both systems will comprise Catholic and non-Catholic students, we believe it is absolutely necessary that all those students and their ratepayer parents be represented by an elected official on both boards.

7. If a secondary school is transferred from the public system to the Catholic system, public school ratepayers shall be fully reimbursed their portion of the appraised value.

In the past, both separate school ratepayers' and public school ratepayers' taxes have paid for the construction of our high schools. We believe it is fair and just that the public school ratepayers, through their public school boards, should be reimbursed for their portion of the appraised value should a property be transferred. A fair reimbursement to the public school boards would be 80 per cent of the appraised value of the property to be transferred.

We also believe that the public boards should retain all proceeds since these proceeds are reduced by the mere factor of the separate school receiving the partial moneys from the transaction. Therefore, it is our stance that the ministry equity fund should receive no proceeds from the transfer of schools.

8. The provincial government shall abide by the decision of the court regarding the extension of separate school funding.

There shall be no orders in council or any other means of proceeding with implementation of separate school funding for separate high schools that could be construed as augmenting the court's decision in whole or in part. If the courts do not uphold Bill 30 as constitutionally sound, the government either follows the court directive or abandons the extension of funding to the Roman Catholic separate school system.

Further, the Halton Board of Education is absolutely incensed that funding has begun through an order in council. This completely negates the legislative process and the parliamentary process, and displays absolute disrespect for our judicial system.

9. Before the passage of any legislation to extend funding, the government shall clearly state the full cost of extension as well as the source of those funds.

It is quite clear to everyone involved in this issue that the costs of implementing the extension

of funding are rising continually. It also has not escaped our notice that the government cannot clearly state the full costs. Each Ontarian has a right to know the costs, the sources of the funds that will be used to extend funding and what the costs will be to the local taxpayer.

Boards have a right to know whether local education taxes will escalate or whether programs will have to be drastically reduced. Students have a right to know how the extension of funding is going to affect their education and the quality thereof. The government of Ontario is duty-bound to delineate clearly these facts and figures for everyone before extension of funding proceeds and/or before another provincial election is called.

The Halton Board of Education joins with many other institutions and groups in opposing the extension of separate school funding. The voters of Ontario spoke loudly and clearly in the last provincial election about this issue. We know what happened to the government that initiated it. We shudder to think of the implications for the government that implements it.

However, many of us stream by you day by day, stating our opposition, knowing full well that this committee has no intent on reporting to the Legislature that Bill 30 must not proceed. Therefore, we shall leave you with a quote from Shakespeare that seems appropriate to this charade: "All the world is a stage and all the men and women merely players who strut and fret their hour upon the stage and then are heard no more."

Mr. Chairman: I hope you do not think that is our attitude towards the deputants; we expect to hear a lot more, as we have done throughout. I must say that although we have heard a lot of opposition, we have also had many deputations in favour who have spoken just as strongly as the other side.

Mrs. Fisher: I understand that.

Mr. Chairman: It has not been a solid stream where you might see us become steadily less resolute. You know how politicians are that way.

Are there questions from committee members? I have one to lead things off as to how you came up with the 80 per cent figure on reimbursement when you say Catholics have obviously been paying their portion for the construction of the buildings.

Mr. Priestner: I think the logic used in picking 80 per cent had something to do with 20 per cent assessment separate and 80 per cent assessment public. One could rework the number in a different form. We had that discussion

ourselves just last night. I think that was the method by which it was determined.

Mr. Reville: Do you have any schools in your area that were built from a local levy, and if so would you want a different percentage in that case?

Mr. Priestner: I would answer that in every case I believe we received grants and we would probably think people supported the province equally in income tax and so on, just the way they probably do locally. It probably is a reasonable percentage based on the number of people in Halton.

Mr. Reville: The reason I ask that question is that in my riding there is a school that was built entirely from the local levy without any ministry funds at all. I suspect that if that school were to transfer, people might well have a different formula in which they would be interested.

Mr. Chairman: Do I understand that the formula of 20 per cent to 80 per cent is a localized formula in the sense that it applies to the percentage of Catholic ratepayers, etc., and that it would therefore be an adjustable kind of formula that would be developed according to the local ratepayer base for each of the areas in the province?

Mrs. Fisher: Absolutely.

Mr. Davis: Were any of your schools also built by grants from the federal government?

Mr. Priestner: We have a couple of high schools that certainly got Technical and Vocational Training Assistance Act moneys, and I think we have one that was mostly built by Technical and Vocational Training Assistance Act money—M. M. Robinson High School, about 1963.

3:50 p.m.

Mr. Davis: Perhaps I could continue. There has been some suggestion to the committee that the process by which we transfer property or buildings is through declaring a school redundant and going through the closure process. I understand that in those closure processes a percentage of the money goes to the ministry.

Do you think using the closure process is an appropriate way to set up a mechanism which is just and fair across the province? Built into that would be some kind of differentiation with respect to the moneys that should be transferred to the public boards and those that go to the separate boards in recognition of their contribution to the cost factors of the local school, over however long it has been, as well as the ministry grants that have gone in.

Mr. Priestner: I will have to give you my opinion on part of that. The first part of the question dealing with the process of closure has an inherent difficulty in it. I, as a taxpayer, do not like the process. It is because you must have a school virtually down to a third or a quarter of its capacity before you can go through the closure process. This implies that you have an awful lot of empty classrooms, perhaps in both systems, before you can make a transfer. I do not believe that is using taxpayers' money wisely.

As for calculating who should have the money if we sold the asset from one board to another, I suppose there is a good and logical way of dealing with that problem, perhaps based on how much money over the last 20 years came from grants to build a school versus how much came from the municipality and so on. I do not know whether that answers your question.

Mr. Davis: Yes, it answers it fine. Thank you.

Mr. Allen: I do not see any references in the brief to statistical impacts. What has been the record in the Halton board this year of the extension of separate school funding to grade 11?

Mrs. Fisher: Mr. Jenkins will answer that.

Mr. Jenkins: Are you referring to 1985?

Mr. Allen: I am referring to what has happened this last September in any enrolment shifts or teacher losses, and what has happened to teachers in that process.

Mr. Jenkins: We are in the process of completing the September 30 statistical reports so the figures I will quote are estimates because we have not confirmed them. We were looking at a total of about 60 students. There was really very little effect in 1985. We are projecting a greater impact in future years. I believe we transferred two teachers. Mr. Beevor, was it two?

Mr. Beevor: There were three and our total enrolment shift, kindergarten to grade 12, was 132 children, 60 of whom were separate. We tracked the elementary kids as well.

Mr. Allen: You did, so you know where they went. How many elementary did you track? Can you tell us how many, because we have not had statistics on this to date? It is very interesting that you have something on that.

Mr. Beevor: Seventy-two.

Mr. Allen: Seventy-two in kindergarten to grade 8 moved to the separate system and the balance—

Mr. Beevor: We had a local agreement that the local separate board will also recognize the

elementary and track them as well within our own coterminous board.

Mr. Allen: Yes, I gather the planning and implementation commission is tracking that information this year in its impact studies.

Mr. Chairman: Unfortunately, the Halton model is not represented around the province in terms of flagging the schools where kids come from and that kind of thing. This is going to make it difficult in some areas but easy in Halton.

Mr. Allen: So your agreement with the separate board also includes the elementary impact? You not only track it but they have agreed to absorb the elementary impact?

Mr. Beevor: We have an agreement on tracking it and coming to an agreement on figures.

Mr. Allen: I see. What are the arrangements under which the three teachers transferred?

Mr. Beevor: Our pupil-teacher ratio, which is included in our collective agreement, is divided into the number of pupils and the resulting number of teachers is transferred. We have had excellent co-operation with the local board.

Mr. Allen: Were these sought on a voluntary basis?

Mr. Beevor: It is voluntary, yes.

Mr. Allen: Can you tell us if they were all Roman Catholic teachers in this case?

Mr. Beevor: We asked that question of our coterminous board and it said it did not know.

Mr. Allen: I see. Do you have a protocol or a written agreement on the transfer terms which provide for other kinds of protection for the teachers who do transfer, in terms of recognition of a red-circled arrangement or promotional rights, etc.?

Mr. Beevor: The separate school board locally has recognized all the terms and conditions of our collective agreement except for retirement gratuity.

Mr. Allen: I see. Thank you.

Mr. Davis: If you lost 132 students—I am just guessing your pupil-teacher ratio is 19 to one; it could be lower and probably is—and looking at 72 students at the elementary level, that means, according to my math which is not always that great, you lost four elementary teachers. You may not have lost them; you may have absorbed them into your system. Was your coterminous board prepared to take those four elementary teachers?

Mr. Beevor: Our coterminous board voluntarily took three elementary teachers. It was not part

of a formula or an agreement. It was mainly because of their co-operation. They also have agreed to help us out in the elementary panel.

Mr. Davis: Were your secondary teachers eaten back up into your system?

Mr. Beevor: No, they took three secondary and they voluntarily took three elementary teachers.

Mr. Davis: Okay, thank you.

Mr. Jenkins: On a point of clarification, we want to consider the three they took out of the secondary panel as part of the agreement. The three they took from the elementary panel were not part of a written agreement. They just took them because we happened to have excess elementary teachers. I would not want it to be confused as part of the agreement that we have for the secondary panel.

Mr. Chairman: It is something we will be looking at with respect to the legislation.

Mr. Davis: The coterminous separate boards that have been before us have indicated they will afford the elementary teacher the same kind of protection they afford the secondary teacher. Your case is unique because it is the first time we have seen that and we have concerns about it. We are not thrilled—I am not thrilled and I speak for my colleagues, but I will not speak for the other gentlemen—with the planning and implementation commission's direction that they work it out. You worked it out but we think that needs to be tightened up in legislation. I appreciate that. Thank you.

Mr. Reycraft: The 72 elementary students; is that a net figure? Was there a transfer in both directions?

Mr. Beevor: Yes, it is a net figure. We tracked the history of the movement of pupils back and forth between the two boards back to 1980. The figure we have quoted of 132 students from kindergarten to grade 12 was the difference between those pupils who have moved to the separate system and those who have come to the public school system.

Mr. Reycraft: The other thing I was curious about was whether there was any pattern to those elementary students who moved from the public system to a separate system. Do they tend to be primary, junior and intermediate?

Mr. Beevor: They come from all grades and also from all areas of the region. There is no one particular part.

Mr. G. I. Miller: What is the percentage of the Catholic population in the Halton area?

Mr. Jenkins: The assessment split is roughly 86 to 14. I do not have the population split per se. Roughly 20 per cent of our secondary students are of separate support. But if you are looking for the total population split, I do not have it.

Mr. G. I. Miller: Do they have a secondary school at present? Is there a full range of grades in the Halton area now for the separate school?

Mr. Jenkins: No.

Mrs. Fisher: Yes there is, in Burlington. There is one in Burlington and one is starting in Oakville.

Mr. G. I. Miller: That serves the area and Oakville is shared between Burlington and Oakville?

Mrs. Fisher: Yes, it is just beginning. The Burlington school has been there for some time.

Mr. G. I. Miller: Has the first year of implementation caused any great problem from the point of view of the community working together and sharing?

Mrs. Fisher: Sharing what?

Mr. G. I. Miller: We have already had to extend the funding up to grade 11. There has not been any loss of teachers and it has not upset the community all that much.

4 p.m.

Mrs. Fisher: Part of the problem is the location of the separate high schools at this point. If you look at the geography of Halton region, the location presents some problem in logistics of students leaving their communities and going to the separate schools. There is one in Brampton and one in Burlington. This makes for problems for students in some areas in getting to those schools. It is a hardship. As time goes along and another separate school is built, let us say in the Oakville area, you may see a drastic change in that.

Mr. Jenkins: I have one further comment about community input. There has been concern because the separate board went along and put on portables without prior approval of the city of Burlington. That created community and city council backlash. So there were community concerns about that expansion without prior approval from the city.

Mrs. Fairfield: Further to what Mr. Jenkins has said, in the Oakville situation the Catholic school being built there petitioned the town of Oakville to increase the number of portables from 16 to 33. They were denied by the council of Oakville and told to go back to the Halton board and find facilities they could rent or

otherwise from us. Luckily we had just closed an elementary school and they are renting that facility for one year. That means the Oakville students continue to be bused to Burlington. Some of the sharing has been forced by the municipal council in this case.

Mr. G. I. Miller: Is there anything wrong with sharing facilities? You noted 80 per cent value, after having evaluation put on the school facilities, should be turned over to the cost of the separate school board, but is it not all taxpayers' money and have not the Catholics been financing secondary education over many years?

Mrs. Fisher: If I might answer that, there was a case a little while ago where we had space within one of our high schools for sharing. The separate school board came to us and wondered whether it could take over this high school. We entered into talks with them. I was at those talks with the director of education.

They said what we could see was that their students could share the school with us and then we would slowly phase out our students to be amalgamated with some other high school within the area. At this time we could not close off the school because there were not pupil places in the other schools. We had a two-year period where we would phase out students and phase their students in. They simply were not interested. What was said publicly was that to have the students share schools would be like putting square pegs in round holes.

Mr. G. I. Miller: Do you not feel that the commission can be important in making that decision, plus maybe clarification in the legislation?

Mrs. Fisher: I do not know. I have not seen anything to date to say that it would help.

Mr. Chairman: There has been indication that there are going to be some square holes and round pegs or vice versa and a fair amount of shoving and pushing in the next little while.

Mr. Davis: When you offered the separate school board that facility and it said no, I would assume it required it.

Mrs. Fisher: Yes.

Mr. Davis: So what did they do?

Mrs. Fisher: As Mrs. Fairfield said, they went back to ask for more portables. At that time the town of Oakville would not grant them more portables on that site so they looked at renting another unit which was not especially conducive to secondary education as we would all see it.

Mr. Davis: When they took that, were they planning to put their secondary component in

there? You said they are still busing to Burlington. I am having trouble understanding that if they have a building.

Mrs. Fisher: I could stand corrected, but to me it is like a holding school. Jerry, do you have any comments on that?

Mr. Jenkins: This is the rental of the elementary school?

Mrs. Fisher: Yes.

Mr. Jenkins: My understanding at the moment from the separate school is that it is a one-year lease and strictly a holding situation. Indications are they have shown no interest in acquiring it. It is a public school fully funded by the public school supporters and there is, in this case, no contribution from the separate school supporters over the years.

They were, in my opinion, forced by the ministry to rent that space because they would get no approvals for additional portables, etc., so we entered into a one-year lease.

Mr. Davis: Just to try to get a picture of this, what were the facilities you offered them? Was it a wing of that secondary school? Was it eight or nine classrooms? Were they split or in one unit?

Mr. Beevor: There were two things. One is that the separate school board is not interested in sharing. That is not unique to Halton. That is fairly clear across the province.

Mr. Chairman: No, with respect, we have heard a variety of positions, some in favour and some opposed.

Mr. Beevor: It was my understanding that the separate school boards across Ontario are not interested in sharing facilities. That came through to us very clearly at a meeting with our board and the separate school board in Halton.

The separate school board leased property from us until its secondary school would be completed in the town of Oakville. That secondary school, even though it is classified now as a senior elementary school, is currently under construction, will be built and will become a new secondary school for the separate school students within the Halton region.

Mr. Chairman: I wanted to clarify that we have had a very broad range of representation here on the matter, some boards being quite strongly opposed to sharing for a number of philosophical reasons and others being in favour. It seems to depend on the individual boards.

Mr. Davis: I would like to find out what you were offering them and why they turned it down.

Mrs. Fisher: In essence, it was the beginning of an offer to them. We did not get into specifics of saying it would be this many rooms. We never got to that point because, in essence, they said they did not want it, period. We never got into any negotiations of what part of the school they would have and how it would actually be shared.

Mr. Davis: They wanted the whole cake or nothing.

Mrs. Fisher: That is it in a nutshell.

Mr. Priestner: I would like to give you a little different view of what precipitated the action.

The separate school board had authorization to start on the approval of the sketch plans for its senior elementary school and was coming to our board to get clearance from us showing we had no accommodation to offer so that it would be able to show the need for building a secondary school. We were kind of scooped, as a matter of fact, because somebody from the ministry made it public that there was \$10 million made available the very morning of our meeting. It rather curtailed the discussion we had.

We felt we would be able to offer them a school and not build an extra school for the community to pay for. It really did not start off with an attempt to share. We were really trying to start them off by saying, "Why not look at one of the schools because we do not have any more students today than we had five years ago?"

Mr. G. I. Miller: What year was that?

Mr. Priestner: This discussion?

Mr. G. I. Miller: No, the year you offered the school.

Mr. Priestner: This was within the last nine months. I do not remember what date it was.

Mr. Chairman: December 1984, Mrs. Fairfield? Thank you.

Are there any other questions from members?

I note with interest your comments about the planning and implementation commission. We have had a number of people wanting the powers reduced or, in your case, eliminated. We have been noting some of the options that are available to us there. I think we will be seeing amendments of one kind or another.

Mr. Allen: I wanted to ask whether the comments on page 2 with regard to the planning and implementation commission arise out of general principles of administrative responsibility, etc., or whether they arise out of an unfortunate experience that the Halton board has had with the planning and implementation commission itself.

Mrs. Fisher: No, it clearly comes from what we see as administrative responsibility.

Mr. Allen: You would be assured then that we have had some concern about some of the lines of responsibility too and are going to be doing something about them.

Mrs. Fisher: Terrific.

Mr. Davis: We are going to make Mr. Allen responsible for all those decisions.

Mr. Allen: I am sure you are on side with us then.

Mr. Chairman: If there are no further questions, I will thank you all very much for coming and participating so freely with us and leaving us with our responsibilities to continue hearing more people as they and we strut upon the stage, etc.

4:10 p.m.

Mrs. Fisher: Strut upon the stage. We will be heard no more. You like that, eh?

Mr. Chairman: I love it. It is one of my favourite—

Mr. Reville: One comment as they leave is that my understanding of a charade is that you do not make any noise.

Mrs. Fisher: Not necessarily.

Mr. Chairman: It depends how the game is played.

Mrs. Fisher: It all depends on the theatre you go to.

Mr. Chairman: That is right. We are here dealing primarily with the theatre of the absurd; but that is another matter.

Our next presenter is Kenneth Lee, principal of St. Catharines Collegiate Institute and Vocational School; it is item 842, with an orange cover.

Would you come forward, Mr. Lee? Our method essentially is for you to take us through your brief any way you would like and then I open it up for questions following that.

KENNETH LEE

Mr. Lee: I appreciate representing one of the largest boards in Canada, twice the size of Prince Edward Island with respect to its educational administration.

The last time I was in this chamber was to make a representation during the Bill 100 hearings. We were trying to get principals out as well as the rest of the teachers. I lost that one and no doubt, if this is a charade, I am in trouble again.

Mr. Chairman: Do not be too fatalistic.

Mr. Lee: I come to you as a practising secondary school principal, probably the most experienced secondary school principal in this province. I have been principal of Central Manitoulin Elementary School in Mindemoya; Sheridan Technical School, the largest school in Sudbury; Baden-Baden senior school on the military forces base in Germany; Beamsville District Secondary School, where Fred Dobbs apparently taught at one time; Governor Simcoe Secondary School, an open-concept high school in St. Catharines; and currently, St. Catharines Collegiate Institute and Vocational School, an old lady of 63 years of age that has served that community very well.

My views do not necessarily reflect those of my boards. I will leave the suggestions until the end and get into one of the thousands of ramifications that have occurred to people before you that will be caused by Bill 30 in its present state.

I am here this afternoon to talk not about dollars or numbers but about students, in particular non-university-bound students. At the outset, I invite all of you to imagine yourselves to be Ontario parents of any race or religion who have been told by the grade 8 teacher that your son or daughter about to graduate from grade 8 is probably not going to take grade 13 as a member of a university-bound cohort. Do not feel alone. Remember that your son and daughter will be like 80 per cent of the students who have been entering grade 9 since the time of Egerton Ryerson, when compulsory schooling went up to 16 years.

In 1960, when I began teaching, the secondary schools of Ontario, with the exception of a few technical and commercial high schools in the larger cities, offered very limited, purely academic programs. In those days, the curriculum reflected the time-honoured British philosophy, "Educate the best and shoot the rest," or some worse fate in the finest traditions of elitism.

High school students with average or below-average ability inevitably fell victim to compulsory grade 10 Latin and were gently squeezed out. In most Ontario communities, these squeeze-outs caused low retention rates. This was going on when I started teaching in Wawa in 1960.

By retention rate, I mean the number of students who graduate from grade 12 as compared with the number who enter grade 9. When I began teaching in Michipicoten High School in 1960, retention rates in the Ontario public

secondary schools averaged only 52 per cent. That means out of every 100 students who started in grade 9, only 52 got out of grade 12 and maybe 12 out of grade 13, as the reeve of the township often told me.

I am extremely proud that retention rates in our public secondary schools today average 75 per cent, an all-time high.

I want to argue this afternoon that the whole business of adolescent student retention in secondary schools is an extremely fragile environment. It is particularly sensitive to any structural changes created by shifts in provincial education policies such as those proposed in Bill 30.

Let me trace briefly the history of secondary school programs since 1960.

In 1964—that was the year when I first became a principal, on Manitoulin Island—the signing of the federal-provincial agreements in which the costs of building and equipping new composite schools was shared between Ottawa and Queen's Park spawned not only the rapid building of new public secondary schools but also triggered an exciting new curriculum plan known as the Robarts plan. This plan outlined special programs not only for university-bound students, because that is all there was, but also for non-university-bound students.

The non-university-bound programs represented a radical departure from the old elitism and heralded a true democratization of secondary education almost unheard of in the world of public education. Most public school boards accepted the great challenge that was offered to provide a minimum of 12 years of public education for every student in the communities they served. This was unheard of anywhere else in the world.

The Robarts plan curriculum document reflected years of accumulated wisdom from established vocational programs in schools such as the one I am at now or Central Technical School and Eastern High School of Commerce in Toronto. Under the new legislation, public secondary school principals like myself totally reorganized their schools to accommodate a new clientele of average- and below-average-ability adolescent students beyond the age of 16 years. Right now, half the students at my school in St. Catharines can be placed in that category as average or below average.

There were few blueprints and even less research to guide us in those days. Almost all the educational research available was based on the study of above-average learners. All we really

knew was that these students needed a daily diet of practical courses in their timetables to offset the very serious challenges posed by their academic courses.

To provide these practical, so-called shop courses was, and still is, very expensive. But the Minister of Education who carried the ball in those days was a very persuasive and totally committed man, the man who built the Ontario Institute for Studies in Education, William Davis of Brampton.

The Robarts plan flourished and the retention rates began to climb steadily as students, parents and communities began to understand and accept the three-track streams: arts and science; business and commerce; science, technology and trades. I can see that some of you here are young enough to have been through that.

These were available both to the university-bound and the non-university-bound students. Within each of these three tracks there were separate programs for both. Most public boards, even on Manitoulin Island, did their best to offer all six routes to grade 12.

The private secondary schools in this province and the Catholic separate high schools over these years opted out of these new programs, preferring to offer the cheaper, less challenging and more glamorous five-year arts and science route only. They took one out of the six. They were more than happy to leave the public secondary system to build and nurture the other routes. One can hardly blame them; it is certainly a lot cheaper.

Starting then and continuing to this day, there has always been a friction point between the public secondary and separate elementary schools at the end of grade 8 when the more zealous separate elementary principals insisted that all their graduates proceed to the separate secondary school whether there was a suitable program in grade 9 or not. Mysteriously, grade 9 intention sheets disappeared or arrived late, leaving the secondary schools to try to guess at the number and to staff their classes to meet these surprise enrolments that always arrived regularly in September from grade 8.

It was quite common, and still is, for the Catholic parents of non-university-bound children to tell me of pressures placed on them by teachers in their separate schools to have their children choose separate secondary schools even though the programs they desperately needed were not available there and never would be. They were consigning them to a squeeze-out fate.

As you can see from the retention-rate curve on the back, these programs were going very nicely until 1970 when the ministry, for very good reasons and after a lot of consultation with the professionals, phased in a structural change known as the credit system. This system has a great deal to commend it—subject promotion is a lot better than grade promotion—but a lot of doubts were expressed about the loneliness effect it would have on these very fragile non-university-bound learners.

The Robarts plan placed secondary school students in home-room classes, which followed a packaged “blue-plate special” menu of courses. Many of us believed, and still believe, that strong peer solidarity was a critical factor in the success of these packaged Robarts plan classes. Those of you who were in grade 9 generally know how as a group you first terrorized the English teacher together, then the math teacher and then the science teacher, and developed a certain learner confidence on the way. Of course, the teachers folded if they were no good.

4:20 p.m.

The credit system introduced a smorgasbord approach rather than the “blue-plate special” in which two students rarely shared more than one class during any given day. The result was a loss of peer solidarity, an important part of school life, particularly for students with a weak image of themselves as learners. You can see the result of that. It is my contention, as well as Alan King’s, that the drop in retention rates may well have been a function of a structural change in education policy in this province.

In his highly respected study, *Holding Power*, Dr. Alan King of the Faculty of Education at Queen’s University suggests the fall in retention rates that occurred at that time might well have been a direct result of this significant structural change. We might then argue that Bill 30 means structural change because of the dilution of funding that will occur and the terrible effects it will have on this fragile environment.

Indeed, the new Ontario Schools, Intermediate and Senior Division document now re-encourages the packaging of courses, particularly for non-university-bound students; so these are timetabled together again. Next year we will probably have packaging in the timetable.

Over the past 21 years, the public secondary school system has developed a highly sensitive educational commitment to the 80 per cent of its students who do not go to university. It is a breathtaking commitment, not only because no system in the world has dared try it but also

because it is truly democratic in its concept. In a world where few systems compare favourably, its virtues are taken for granted. It is likely to hear more criticism than praise around the halls of Queen's Park.

It has consistently withstood the lobbies constantly paraded before politicians, which want a return to the old elitism and its low cost, a return to the good old days of secondary schools as a cosy club for above-average learners and a heartbreaking squeeze-out nightmare for the remaining 80 per cent of students and their parents.

These non-university-bound learners have no spokespersons, they have no voice here, and certainly no lobby at these hearings. When the government considers structural changes in education, the concerns of these students are constantly drowned out by the beating drums of the supporters of private, religious or elitist education demanding public funding for those who are already privileged children.

If the parents of non-university-bound children ever get an inkling of what separate school funding beyond grade 10 is about to do to the educational hopes and plans for their children through the inevitable dilution of funding, ghettoization of the public system and the resulting independent or other religious school systems, they would be outside this building right now, in numbers without precedent, demanding justice, fairness and, most of all, equal opportunity for all children in the educational system for which they pay and will continue to pay.

We keep hearing the word "completion." My brief is saying, "Completion is really dilution," and that will destroy this fragile environment from which we never hear—these 80 per cent of the students who never stand up and say their piece when policies are being made. They have not been heard in this room too often; I am glad I am here.

One of the hallmarks of private and separate secondary schools in this province has been the alacrity with which they have been ready to accept the cream of the crop from elementary schools and offer them straight academic courses, in which children often learn in spite of rather than because of the school. The speed with which they have redirected average- and below-average-ability adolescents back to the public system has been equalled only by the speed with which they have trumpeted the success of their system, in what is all too often portrayed as open and equal competition with the public system.

Public-secondary-system principals in this province have simply smiled at this and quietly gone on with the job, taking enormous pride in the growing retention rates of non-university-bound students. I have been doing that for 21 years now. I am intensely proud to have played a role in the development of this system. As I stated during the last election, when I stood as an independent candidate on this issue in the riding of Lincoln against the present member for Lincoln (Mr. Andrewes), I cannot stand idly by and watch the dismantling of a public secondary school system second to none in the world.

Even though I have carried the New Democratic Party banner as a candidate in four federal elections—I have never been able to run provincially, because I have never agreed with that position on separate funding—I have always admired the big blue schoolhouse that Bill Davis made from the little red one.

I once wrote an article in the Ontario Institute for Studies in Education's Orbit magazine called Ontario: A Place to Learn—I sometimes blush when I think about it—to which then-Premier Davis wrote a flattering acknowledgement. Today, because of my stand in Lincoln, the NDP has gratuitously expelled me from its membership. It has expelled only four people in its history, and the other three were Trotskyites, so what can I say? That is what Michael Lewis tells me, anyway.

I can state without any party bias that the courageous positions taken on this issue by Norm Sterling and maybe Dennis Timbrell must be applauded and encouraged.

I know I am not alone in my controlled scream of protest at this apparently unseemly, lemming-like rush of legislators to pass Bill 30 and tear down all we have built so carefully in the past 20 years since the Robarts plan. As my own director of education said the other day, "If the province developed curriculum with the speed and lack of consultation with professionals that has been evident in Bill 30, we would have a war."

I blush for the Liberal and NDP members on this committee who have always portrayed themselves as champions of ordinary people and fighters of elitism, snobbery and privilege. Let us make no mistake about it: Religious education is a private matter, is a private matter, is a private matter.

Let me repeat the words of a recent speaker to your committee: "What is the rush? Why the hurry? Why the ridiculous haste?" As a guest keynote speaker this spring to the annual conference of Catholic school principals at

L'Hotel, down by the CN Tower, I received a standing ovation—which does not happen very often; the only other time I ever got one was when I told my staff I could retire two years earlier—when I suggested to them that the professionals, not the politicians, might be able to make this work to the direct advantage of children.

Let me tell you what I told them. When I arrived in Germany in 1970 to work for the Baden-Baden school system of the Department of National Defence, I was told: "We only have X dependent children here of the servicemen in Lahr and Baden-Baden. We have two high schools and eight elementary schools. They are all under one system, Catholics and non-Catholics."

When the school system over there was first permitted to serve the servicemen of Canada, pressure was put on the government to have a separate school system and a public system, both together. It was obvious to the federal politicians that this would dilute the thrust of education for these children, reduce it and make it almost impossible to offer it in any quality they would want.

What did they do? The professionals put their heads together and came up with this answer: "We will offer only one school system in DND Baden-Baden, DND Lahr, and in Ramstein and in Brunsum. We will have only one system, and we will ensure that every child gets one hour of religious education from the padres on the base, from the teachers, per week." What could be simpler, more logical and a better use of the public's money? The federal politicians—the only federal educational system in Canada is the DND one—solved the problem. Why can we not approach it in such a logical way? I do not know.

Let me close by asking you once again how you would feel if your child were about to be ripped off by the damage which has to accompany the passing of this bill. Do not tell me it is the Ontario way. Ontario has changed beyond recognition since 1867 in demography, multicultural divisions and a host of other ways.

As sure as I sit here before you, you know and I know that the passage of Bill 30 in its present form will drag this government and its New Democratic supporters through the slime of Lebanon and Ireland. I know because I ran as an independent candidate and every weirdo in the area, as well as every Conservative, NDP and Liberal thinker, came to me. I heard it all.

Do not ever convince yourselves that there was no issue in that last election. We shut down all of

the eight candidates' meetings in the riding of Lincoln. At Albright Manor, one shut down totally because the other candidates were unwilling to discuss anything other than this issue. It is out there and it is strong.

Marshall McLuhan, probably the most eminent Ontarian, complained of rear-view-mirror legislators who drive confidently into the future staring resolutely into their rear-view mirrors. People like this called the automobile a horseless carriage and the radio a wireless and they believed television to be little more than home movies.

Modern education policymaking is much more than a fighting Irish football team and the moral value of wearing a school uniform versus the collegiate bulldogs and blue jeans. It is expensive, it is hard to build and it is all too easy to destroy, as my graph suggests. I beg you to recommend delay, sober second thought, even a plebiscite, before this goes any further.

Let me finish by saying that this issue is not a legalistic, philosophical or abstract question which can be ignored. Its consequences will come to bear upon us all in a number of ways, just as I have outlined one. Yet the public system in this province has no voice. It cannot mobilize its adherents into a unified lobby which appears to join in a common cause. It lacks the machinery and the apparent authority to call its supporters into ranks. Its openness, diversity and tolerance of wide-ranging points of view are seen as its great strength that is now reduced to a tactical weakness.

4:30 p.m.

Mr. Allen: First, I would like to thank Ken Lee for the brief; it obviously grows out of a great deal of experience, which he has detailed for us, and it brings to bear some lines of argument which have not been put quite in the fashion he has done so with respect to the whole argument on retention rates and what have you. Having read that document, I am quite familiar with its perspectives.

In response to his argument there is no one at Queen's Park speaking for the non-university-bound student, I spent the whole of my last year's estimates on the plight of the general-level student, both in the secondary and post-secondary systems. Again, I am quite familiar with some of the issues he is detailing.

I think the point about the impact of structure upon holding power is a pretty significant one. That document details it in a number of ways. I guess one has to start with the assumption that there is a secondary separate system that goes to

grade 10 with students in it, and the likelihood of any of us dismantling that is highly unlikely.

Given the structure of that system and the problem those students encounter when they run into a structural problem, namely, at the end of grade 10, the opportunity that allows for the disappearance of students, the lowering of retention rates around that kind of break, the loss of peer relationship as a result of the breakup of groups in the transition from 10 to 11 for those separate school students, and the loss of impetus they have gained in their nine and 10 years in transferring, is there not some reason to think that, overall in the system at large, secondary public education—separate and secondary—might see some improvement in retention rates as a result of Bill 30 rather than a loss?

Mr. Lee: I do not think so because now a big composite school with 14 shops in it, the kinds of shops of which non-university-bound boys and many girls dream, is already substantially underfunded and so difficult to keep going that I cannot picture under Bill 30 there being the public moneys available to duplicate that in the separate system.

One of the strengths and part of the fabric of this province has been that non-university-bound kids eventually came to the local composite high school or collegiate vocational school as a matter of course, joined with their non-Catholic friends, went through the shop experiences and math and science together, played, laughed and grew together. I do not think it was disruptive at all.

I certainly do not think it would contribute to any increase in retention rates over the fact that a child leaves grade 8 or even grade 10, comes to my school and gets the programs that are tailored to his abilities and that will allow him to have success and allow his self-image to grow and give him the confidence to be an effective Canadian. I do not believe that would make any difference.

I really believe these nonuniversity learners are a special breed and need to be treated differently. This is the message I hear as I speak in professional development days all over the province; I speak to them in the United States, too. It is to bring them all together with the best possible facilities the community can provide, and ours can only provide that type of education process once; to provide it twice must cause dilution. As soon as I dilute my pattern-making, sheet metal, electronics, computer repair, machine and carpentry shops, then those programs will suffer and those students will be the losers.

Mr. Allen: I was not aware Bill 30 was advocating the duplication of all those shops across Ontario. The thrust of so much of our inquiry in the hearings has been around the whole issue of sharing those facilities and, where there is new construction, to do it in such a way it can be shared by both systems in business and technical facilities and what have you.

You are aware that the whole delivery of technical education is very much under review in the province and there has been a great deal of concern about just how those skills will be delivered in future, whether onsite in technical wings or in a co-op education model or in training directly in the factory locations and in business. There has been great deal of sounding in that; so I wonder whether your assumption in that respect is perhaps as warranted as it would seem to be at first glance.

Mr. Lee: Mr. Allen, if I am the most experienced technical school principal in this province, Mr. Wally Beevor, whom you just heard, the director of education in Halton, is certainly the most respected director of education. When he sits here and says the separate school board does not wish to share anything, I believe he is right. I would have applauded him if it had been appropriate. They do not wish to share and we do not see any prospect of sharing. We see only duplication and dilution.

From what we read in that bill, as a practising professional who left my kids behind this afternoon to be here, I see nothing but bad news for nonuniversity students. The others will be fine, whatever happens, but these kids will not.

Mr. Allen: With all due respect, and having listened to virtually every board in the province, both Catholic and public, I think I have just about as much experience at this point as any director. After listening to other directors and other boards, one certainly does not get the impression the Catholic system has stated flat out at any point to us, although individual boards vary in their temper and mood, that it is not prepared to share. In fact, there are some facilities in the province where that does happen at this time. That is all.

Mr. Chairman: Any response, Mr. Lee? Any other questions from other members?

Mr. Reycraft: I would like to ask Mr. Lee if he has done any follow-up studies at his school in St. Catharines regarding the employment of the students who graduated from the technical programs. If so, could he indicate to us what those studies suggested about the relevance of the technical education the students had received.

Mr. Lee: If you have read—and I know you have, sir—Allan King's report, it indicates that even though the global drop-out rate in our secondary schools may be 12 per cent across the province, that reflects about a one per cent drop-out rate from the university-bound cohorts and about a 33 per cent drop-out rate in the non-university-bound cohorts.

The follow-up enrolment is a very thin wedge in most schools. The ones who do graduate tend to go no further. They do not seem to have the confidence, or only in very small numbers, to enter the community colleges that were designed to pick them up at the end of the program. The community colleges are now mostly taking care of students from the university-bound cohorts who have changed because of job opportunities. Those are the figures that Allan King showed.

Those who are getting skilled trades are gaining confidence. In vertical studies, for example, of draughting students from one school I was at in Sudbury, where we tracked the career paths for draughting specials, we found that only 10 per cent followed a draughting career, and yet they were all reliable employees. They had learned the basic skills of their jobs at school. They had the special skill of draughting but only 10 per cent used them.

Is that the kind of question that you were asking?

Mr. Reyecraft: Yes.

Mr. Lee: That seems to be a very good pattern. They tend to go to a teacher and a skill they like and grow with that teacher. It is an expensive experience, and I am proud that we can provide it in this province. I am deathly afraid that Bill 30 will not allow us to when the dilution occurs. We cannot afford it now.

Mr. Reyecraft: I guess I am not convinced that those students cannot gain that same degree of confidence in other kinds of programs, ones different to the technical ones you have described.

Mr. Lee: Let me go back to my experience of Manitoulin Island. It was a remote secondary school of 200 students that served the West Bay Indian Reserve as well as the people from the area of South Baymouth, Manitoulin Island. I was forced to try to meet the needs of every 14-year-old or 15-year-old who came into grade 9 from that entire end of the island. We had no library, no gym and no shops. We had no real art program and certainly no music.

The Indian students were very musical and very artistic. The non-university-bound students from the farms were very interested in machinery. It was a very frustrating experience not to be able to offer them a satisfying program. In those days before the big new high school was built at West Bay, the biggest job we had as a staff was to cut the drop-out rate; to try to do that through Man and Society, four-year options that were basically academic options, and try to hire Shakespearean actors to teach them.

That is what we were doing. We were doing quite a good job, but we all knew deep down that if only we could have afforded the proper basis that these children learn and flourish in, we would have a better situation. Finally, that school was built to serve that island and its community.

We have struggled through this, especially those principals who have been in the north, such as myself, to teach in Wawa, a community of 5,000 souls. If Bill 30 is passed, what will be the effect? The present high school enrolment there is about 600. I would guess that it will become two high schools, 300 and 300, neither one able to afford or staff a proper experience for the non-university-bound students. The university-bound kids will do fine, just as they were doing when I got to Wawa in 1960. The others will be lost in the shuffle. To me, Bill 30 represents a shuffle. You will not hear from the people who are going to be hurt because they are diverse and multiracial. Their parents are not the kind of people to get on the phone.

My phone in a school of 1,500 rings maybe once a week. That is our biggest commitment in a deep urban setting. Those parents do not lobby, phone or complain; they will just hurt. If they hurt badly enough they will be back here. That is what I am afraid of.

Mr. Bernier: Mr. Lee, I certainly commend you for your concern for that special group of students in our school system. I admire your thrust. I just wondered if you have looked at other provinces. I have asked this question before. What about the other four provinces which have extended funding in the Roman Catholic system to grade 12? What has been the effect? Has it been a dilution? Have your fears been realized?

Mr. Lee: I would like to answer that. Recently, I was a keynote speaker for a Calgary board of education. They were kind enough to drive me around to five of their public secondary schools. They have about 18 in Calgary. As you know, in Calgary they have a separately funded high school system which is mostly academic

and they also have a publicly funded high school system, as is envisaged in Bill 30.

I asked to visit the vocational school, that is, the basic level programs. In my community, Kernahan Park Secondary School, these are the lowest levels of secondary education, the basic level. Where do those kids go? I was at that school. Where do the general level learners go? May I visit those schools? I went to all five schools.

I can tell the committee that what I saw would not hold a candle to what the average public secondary board offers to those children in this province, because they did not have the resources and the equipment and they did not have the will to make it work. The basic level school was obviously a ghetto. You would never find that in a big respectable public secondary board in this province.

The general level learners were being shuffled and squeezed. I was embarrassed. I was told Calgary had something special. Their teachers were doing their best, but there were not the dollars to provide those kids with those experiences in parallel groups. The establishment of one public group so diluted the accessible dollars that even if the public system tried to do what we are doing in Ontario it could not. It did not take an experienced secondary school principal very long to see what was happening, to see the faces, to see the graffiti, to see the apathy that surrounded those type of schools.

Mr. Bernier: What about the other provinces? You talk about Alberta. What about Saskatchewan, Quebec and Newfoundland?

Mr. Lee: I spoke recently at a Charlottetown rural high school in Prince Edward Island, and there was nothing for non-university-bound students. Those who could hang in would, but compared to what we have here there was nothing.

Mr. Davis: Mr. Lee, I wonder if you would comment on one of the thrusts that seems to be developing. I know there is a great fear in the public system that the public schools will become the collection area for the hard-to-service youngster, whom you call the middle youngster.

It seems that a number of separate school jurisdictions believe the provision of technical vocational programming can be done through co-op programs in the community, and I believe that is the thrust of the ministry or the minister, to have youngsters going out into industry, metal shops and so on. I would like you to comment on that. What do you think about it? Do you think it is an advantage or do you think the present

system is better? Do you think the separate board can make that kind of thing work?

Mr. Lee: No, I do not. When I was principal of Beamsville District Secondary School, I was responsible for introducing what we called an occupational program, or reintroducing it. One of the big problems with inviting these 100 students, as it became, back into the school was that we ran out of shops for them in the senior grades.

It would be a big mistake to imagine co-operative education will do anything in grades 9 and 10. Its greatest strength is in the senior grades, whether it is basic or general level. I really believe there is a big future. A lot of money can be saved in sending grades 11 and 12 students out to learn on the job in conjunction with the school, but it would be a disaster in grades 9 and 10. We could not even send them out chicken catching.

Another reason would be that the Workers' Compensation Act and the Occupational Health and Safety Act will not cover those under 16 years. In grades 9 and 10 many of our students are under 16, so the co-op experiences are closed to them because of the compensation act.

Mr. Davis: As I understand the educational situation across Ontario, young students are not entering technical programs in grades 9 and 10 now. Because of the Ontario Schools, Intermediate and Senior Divisions curriculum guidelines they have opted to do academic programs. I understand there are initiatives being undertaken in all the boards and by the ministry to reintroduce technical education in grades 11, 12 and 13. Do you think that is possible, understanding that sometimes one needs grades 9 and 10 to do grade 11 auto mechanics?

Mr. Lee: Let me just take my school. That is a good question. In grade 9 we offer a double technical option, an exploratory one, in which kids go through nine shops and find out what they like. Then it goes down to six in grade 10 and they specialize in grades 11 and 12.

This year, because of OSIS, we experienced a significant reduction in the number of kids choosing the double tech option because they were trying to fast-track the core. We had a drop from 135 in grade 9 to 100 taking the double option. More took the single option. That is a concern to us, but we are convinced we can adjust.

I notice you are interested in what is happening out there right now. As I look at my principal's statement, which has just gone in, I see there are still students transferring to my school from the

separate system to have access to shops. I think that will continue for the next two years, but suddenly, when completion is finished, if it continues, then we are going to experience a real snap-back as kids track the one tax bill line. Then we are going to see a very much more monolithic system, which is going to demand the same facilities that are in the public one.

For the next two years we may be in a kind of phoney war with respect to where enrolment shifts are going. Once completion is there from kindergarten to grade 12, we will see the true effects of this bill. Right now you are getting numbers from boards, such as I heard Mr. Beevor giving you from Halton. These are not real. The real numbers will start to come in two or three years down the road, with the real devastation we foresee and about which we worry every day.

This Bill 30 is a draining force on all of us in the school system. I do not think there is a day when the senior administrations at the board or school levels do not go to school feeling very depressed about it, particularly those of us who work with these students. We are so proud of what they have done. In 21 years I have seen a lot of them go through. I have done my best to hire teachers who will turn them on, to provide programs and supplies and to budget to keep them for 12 years. They are worth keeping, believe me. Our society will benefit very strongly.

Mr. Chairman: Thank you for a very passionate defence of the students you have been specializing in teaching for the last number of years. It has had an impact on the committee members.

The committee will now hear from Mr. Rudy Nagel, the publisher of *Christian Socratic*, item 843.

Welcome, have a seat.

RUDY NAGEL

Mr. Nagel: I would prefer to stand.

Mr. Chairman: We will not be able to pick you up for Hansard. It is up to you.

Mr. Nagel: I will stand.

Mr. Chairman: We will turn up the mikes as best we can. There may be no record of this; that is all.

Mr. Nagel: Mr. Chairman, members of the Legislature, Ms. Mellor, ladies and gentlemen—

Mr. Allen: Mr. Chairman, on a point of order, I do not know whether the gentleman recognizes that these proceedings are followed very widely

and that a lot of people secure copies in order to see what the presentations were and to read them and use them as a record of all this debate. It is fairly important to other people to have a record of this. You would have a much larger audience, sir, if you were to sit and speak into the microphone. Otherwise, you will not get into the record at all.

Mr. Nagel: Thank you, Mr. Allen.

Mr. Chairman: The difficulty is that we would probably have a very incomplete record that would not show up your thoughts as clearly as it would if you were sitting down. I understand some people are more comfortable standing, so it is up to you.

Mr. Nagel: As we walk through the city we see people wearing Roots T-shirts. Perhaps as a cultural artifact that has no more continuity than being from some manufacturer in Taiwan or Ontario or the United States, but the author had a deeper purpose. I think there is even yet a deeper purpose in roots. We think of the trees, the tree of life. The leaves that are falling will provide the nourishment for next year's growth.

We have now a break in western society. Whereas human society also followed that natural development and took the classical drama of the Greeks, with a beginning and a dénouement, an end, we have a Nobel prizewinner awarded the prize for literature with no plot, no character development and rather than a dénouement as an unravelling, as a resolution, it is a dénouement of angst. The author, when asked by reporters, said: "I have nothing to say. I have no message."

One of my favourite books is Brian Wicker's *The Story-Shaped World*. In it he talks of the two poles of language, the analogical and the metaphorical. He cites a passage from Norman Mailer, talking about the liftoff of the Saturn rocket. He is thinking of the weight of that pressing upon the earth and thinking of the revving up of those engines. He speaks of that precise moment when there is an equalization of force, of countervailing forces. He says, "Come, you could lift it with a finger."

This becomes a symbol for us. Why? Because we are moving from an industrial age to an electronic age. I have sought for that line of continuity in this brief. I have started at the beginning with the provincial coat of arms as the title of this brief, *Ut incepit fidelis sic permanet*. In doing so, we find that the question of the Catholic school is broader than just the Catholic school; it becomes a question of the public school.

In 1836, at the invitation of the Legislature of Upper Canada, Dr. Charles Duncombe was commissioned to report on education in the United States. He said to the Legislature:

"All agree that the Bible is the true standard of right and wrong and the only rule of faith and practice. All agree that the evidences of its divine authority should be understood and that its contents should be studied. But if any religious sect attach such importance to their own peculiarities as to feel the influence of religious instruction exerted by those who differ from them on these points, they could institute schools taught by persons of their own sect.

"One thing is certain. If religious influences are banished from our provincial system of education, every denomination will be injured in its most vital interests. For one who would be proselytized by a sectarian teacher, 10 would be ruined by the vice and irreligion consequent on the subject of moral and religious influences."

The Canadian Civil Liberties Association claims in regard to religious education in the province that "the non-Christian interpretations are relegated to a secondary position" and that "the religious education program appears to violate the charter's guarantee of freedom of conscience and...equality under the law." I think of Christ's words as to the balance and I think, "So much to Caesar, so little to God."

I look at the recent decision of the United States Supreme Court in striking down Alabama's prayer law and I couple this decision with that of the Supreme Court of Canada in its invalidation of Manitoba's official language legislation. In the one case, the court is acting as a regulator of rights and in the other as a defender.

I conclude with the affirmation that appears on the front cover, "Then the citizen will realize that the public school is indeed mine for I am the public in my living of privilege and responsibility and it is my right to make it what I, together with every citizen, choose to make it."

This is the guarantee of rights under our charter. I would be pleased to discuss these matters and any others within the scope of this hearing.

Mr. Chairman: Thank you, Mr. Nagel. The members have had a chance to look at the document that you circulated. Are there any questions from committee members?

Mr. Allen: We are all trying to get a handle on the reflections of Mr. Nagel and to get them geared up with Bill 30, which has been a very

nuts-and-bolts kind of operation for many of our discussions.

You have not specifically addressed the contents of the bill and your reflections have been broadly discursive around the issue itself. I am not sure that it is entirely clear to all of us whether you are endorsing Bill 30 as an instrument for accomplishing Mr. Duncombe's remarks in 1836, that somehow religion had to be maintained as a central thread of education, or whether you are purporting to criticize that position. Maybe you could spend a few more moments telling us which it is.

Mr. Nagel: It is a very difficult question. I point out in the brief that it is a political issue. Once it enters the political system, that system has a dynamic of its own.

I ask the question in this brief: are the claims still just as they were when the Catholic schools were granted in the British North America Act? The question must be asked in consideration of the changes that have occurred. The Jews and Moslems were not here. Protestants have lost Christianity from their schools. I see no heritage we are saving. It is gone and we can thank the Canadian Civil Liberties Association for that. There is no religious education.

5 p.m.

Dr. Shapiro is preparing a brief on this very point of the right of the citizen to a religious education. If our charter means anything at all, we have a right to a religious education. We have to look at what Christ said on the turning of the coin, "Give to Caesar the things that are Caesar's; give to God the things that are God's." The state has the position of regulator.

I do not look for a system where every religion would have its own school. That is ridiculous. What must be addressed is this loss of Christianity in the public school, the opening up of the public school to the people of the Jewish faith, to the faith of the Mohammedan, to the faith of the Christian.

The Alabama state decision is ridiculous. I cannot understand why the United States continues to insist on having prayer in the schools. That is intolerant of people who do not believe in a supreme being. It is a matter of regulating the right so the right of those who wish a religious education is protected and the right of those who do not wish a religious education is protected. It is a matter of arranging a different time and place. For the US to continue to insist on having this put through is intolerant of our nonbelievers. The solution is obvious: provide a separate place and time for prayer.

We are not caught up in what the charter really means. This is our right. The United States has affirmed that parents have the right to regulate the schools for their children. We think that someone else is going to shape the public school. It is ours to shape. It is our rights that the government must recognize.

If the public school will not do that, then other means must be taken, such as a voucher system or funding of allowance tax credits for private schools. These are fundamental rights being trampled upon. You have a right to a religious education. The government is ridiculous. You do not come to teach mathematics. That is not religiously oriented.

My purpose in citing the Nobel prizewinner is to show that our literature today is valueless. The man says, "I have no message." There is no message. Christianity does not say that. Judaism does not say that. They all have a rich heritage to go to: the Koran, the Talmud, the Bible. We need this as we enter an electronic age.

Why are we doing this? What is our purpose? Are we purposeless beings? Are we to have an educational system mandated by a central government telling us to produce so many units to deal with the computer age? We need so many of these kind of numbers. We are dealing with human beings who have basic rights. There is a fundamental right to have the kind of education you want to give your child. It is the child's right to have that.

Mr. Allen: That clarifies for me the direction from which you are coming on the whole issue. This is a fundamental part of the whole debate. How we resolve it is going to be a very difficult task. Thank you.

Mr. Nagel: This is an agonizing question that has come up before in our 150-year history. It came up before in 1910. I forget the name of the gentleman who was Premier of Ontario. The French were making representation for rights and he asked, "How can I deal with a Catholic question when the French are agitating for their rights?" There was not a lack of will at times to deal with this question.

Premier Davis has perhaps done the right thing for the wrong reasons. Something has happened to the Catholic church. We are not dealing with the ultramontanist of the 19th century. We have the Vatican council, an ecumenical age, a realization when we say the Our Father, we say every one, every person no matter of what race, colour or creed. That has to be reflected in our Catholic system of education.

One of the trustees has said, "In time, the two systems will become one." I think that will happen. Once you have access into the school, and I do not blame the government for providing that, eventually the two systems will become one. The Catholic system will become a public system.

Perhaps in God's providence, this will be a way of getting us out of our ghettos to realize the universality of humankind. It may be. In terms of justice to the Jew or Muslim, I do not think it is just for the Catholic school to be funded. Because it is a political question, legally the claim is valid. I would like to speak about that because I am familiar with it. I cannot understand how it has gone to court because there is no basis whatever for funding to be challenged in the courts.

It is simply a legal thing, but I do not think we should be living by law. That is the difficulty. We have a charter and if we take that charter as the whole of life, I am sorry but we misunderstand what the role of government is in human affairs.

Mr. Chairman: Thank you for coming and sharing your thoughts with us.

Mr. Nagel: You are welcome.

Mr. Chairman: The committee has been rewarded by many individuals coming and presenting their views in terms of philosophy and other kinds of approaches. It has been very helpful.

The committee is adjourned until tomorrow at 10 a.m. I hope this slipping backward into smoking is just a momentary aberration among deputants and members of the committee and we will get back to a nonsmoking situation. We may be driven to drink, it is true.

The committee adjourned at 5:07 p.m.

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- Nagel, R., Editor and Publisher, The Christian Socratic



No. S-76

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, October 30, 1985
Morning Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 30, 1985

The committee met at 10:03 a.m. in committee room 1.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: The first deputation today is from the Ontario Secondary School Teachers' Federation, District 22, Perth county. Mr. Webster, I would ask you to come forward and take any of the seats directly in front of me.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, PERTH COUNTY DIVISION, DISTRICT 22

Mr. Webster: Shall I run through my brief or have you all read it?

Mr. Chairman: I will leave it up to you. It is not a bad idea; it is not that long, and it gets it on the public record more than a casual commentary or synopsis will do. If you feel comfortable doing that, just lead us through it and we will open it up to questions right afterwards.

Mr. Webster: All right. On behalf of District 22 of the Ontario Secondary School Teachers' Federation, we welcome this opportunity to present the views of the secondary school teachers of Perth county to the social development committee of the Ontario Legislature.

Our submission is divided into two major sections. The first is a brief profile of the current education system in Perth county. It is hoped this will provide the committee with information about the communities, schools, programs, students and teachers in the county. The second contains the concerns and questions of the members of District 22 regarding the changes which may come about as a result of Bill 30.

Perth county and its schools: we have a population of approximately 55,870 within the county. Our major communities are Stratford, with a population of 26,840; Listowel, with a population of 4,972 or, if you believe the post office, 5,000 which is why we have mail delivery; St. Marys, with a population of 4,709; and Mitchell, with a population of 2,750.

The major economic base of Perth county is agriculture. With the exception of several

automobile-related industries in Stratford, there are few other major industries. This results in a low industrial-commercial tax base. The ratio of industrial-commercial to residential taxation in Perth is 0.43 to one, which puts it in the lower one third of the province.

The schools in Perth county: we have 24 public elementary schools with a total enrolment of 7,202 in 1985-86; and nine separate elementary schools with a total enrolment of 1,408 in 1983-84. We were not able to get the updated figures on them. We do not have the updated figures at all on the 10 private elementary schools, which are mostly Mennonite schools. There are five public secondary schools with a total enrolment of 4,522, plus 20 part-time students in 1985-86.

You should note that there are at present no separate secondary schools in Perth county. This provides an advantage of extra time for implementation and planning, which the federation feels should be available to all regions in the province. The separate school board is considering opening one or more secondary schools for the 1986-87 school year and the time between now and then will be vital to establish program and transfer policies.

Secondary schools, 1985-86 statistics: Northwestern Secondary School, Stratford, is our largest school and has an enrolment of 1,306 now, plus eight part-time students. It had 1,313 last year so they are down a few students. The full-time equivalent teaching staff is 87. It is a fully composite school with many technical and business options and it also offers a four-year basic program.

Central Secondary School is also in Stratford and has an enrolment of 1,129, plus five part-time students. It had only 1,093 students last year and it is up now because it is on a semester system. We have had some transfer students from Northwestern to Central. The full-time equivalent teaching staff is 63.5. It is primarily an academic school. This one school is oriented completely towards the Ontario academic courses. It does offer some business and some shop courses.

Listowel District Secondary School, which is where I come from, has an enrolment of 960 this year, plus three part-time students. It had only

916.5 last year. The full-time equivalent teaching staff is 59.5. It is a fully composite school, offering technical, business and basic programs.

St. Marys District Collegiate and Vocational Institute in St. Marys has an enrolment of 620, plus three part-time students. Last year's enrolment was 612, so it is up as well. It has a full-time equivalent teaching staff of 38. It is also a fully composite school offering technical and business courses and a small basic program.

Mitchell District High School in Mitchell has an enrolment of 507, plus five part-time students. It is up from 502 last year. It has a full-time equivalent teaching staff of 35. It, too, is a composite school offering technical and business courses and a small basic program.

There are several items to consider with regard to these schools. First, it should be noted that each centre is served by at least one secondary school offering a wide range of programs. This is necessary because of the distances between schools in a rural board. In urban school boards, one school can draw students from various sections in the city and thus specialize in certain programs. Because of the distances between population centres in Perth county, each school must offer a wide program choice to meet the needs of all students in its area.

10:10 a.m.

Second, it can be seen that none of the schools in Perth county can be considered large. Mitchell and St. Marys are quite small. Program opportunities in these small schools can be greatly affected by a small change in enrolment. A school with four or five sections of a particular course can continue to offer the program with three or four sections in the face of enrolment decline. In small schools, where many courses are offered with only one section, if that section becomes too small and the class is discontinued, then the program is ended.

Clearly, the importance of a secondary school to a smaller community goes far beyond the curriculum of its courses. It provides a local focus for social and recreational activities, which are not as readily available outside the school as they are in larger cities.

Members of the community look to the school for leadership from the administrators and staff. The smaller schools provide students with greater opportunities for participation in teams and organizations in a nonthreatening atmosphere. There are more opportunities for communication, which develops the students' interpersonal skills to the fullest.

With regard to secondary school teachers, the students in Perth county are served by an experienced, highly qualified staff. The average experience of high school teachers in the system as of August 31, 1985, was over 16.5 years. Two thirds of the teachers are in the highest educational category.

The peak period of job loss because of declining enrolment has passed in Perth county. The early retirement plans, teacher-funded leave plans and normal attrition would have offset redundancy in the near future had the status quo remained. Separate school funding has changed this outlook.

District 22 concerns, questions and suggestions on the impact of the extension of separate school funding: the overall impact of the government's decision to fund senior separate school grades will only be seen with time. The potential for division of Ontario society along religious lines is great. The mosaic of Canadian society has changed a great deal since 1867. The political necessity of enshrining government support for denominational schools in order to form the Dominion of Canada is no longer valid.

Therefore, Ontario, in all fairness, should fund all denominational schools or none. Complex problems such as these must be considered by this committee as it makes its final recommendations to the Legislature.

In Perth county, the 1981 Ontario census reports 16.1 per cent of the residents are of the Roman Catholic faith. If this percentage is applied as a guideline only to the total 1985 enrolment, it shows that approximately 729 students are Roman Catholic. A change in enrolment of this magnitude will have major effects on the public system. There is a very real possibility of school closure, considering the Mitchell enrolment of 507 or the St. Marys of 620. While this will no doubt be common across the province, we must once again bring to the committee the differences and difficulties this creates in a rural board.

With regard to effects on the schools, we attempted to outline earlier the importance of secondary schools in a small community. The loss of a school affects the entire community, from the financial input of students at lunch time and after school to the availability of students for after-school jobs. Should a school continue, its decreased student population has a dramatic effect on the program it can offer, as previously outlined.

Further difficulties arise. Teachers who are lost to the public system take with them many

special skills. Coaches and advisers who are lost to a school may cause a reduction in the extracurricular activities. Virtually all staff members in small schools are involved beyond their classroom duties. There are no uninvolved teachers to take their place in these activities. The students will be the losers.

The mix of male and female teachers could also be affected. As a specific example, there are 55 secondary school teachers who list qualifications in English on our August 31, 1984, seniority list. Of these, 28 are male and 27 are female. However, 15 of the 20 most junior teachers with English qualifications are female. Transfer or redundancy, based as it is on seniority, would have a devastating effect on affirmative action programs.

There are also very serious concerns about the programs to be offered by the separate system. Will only low-cost, academic programs be offered in the separate schools? If so, what does that mean for the public system? It is our belief all publicly funded schools should offer a full range of programs to meet the needs of students. These should be available to all students without discrimination.

The effects on students: in the future they will face either decreased program opportunities in their local schools or the necessity of being bused out of town to one with the desired courses. This will force a further decision beyond the major one of choosing between the separate and public systems.

Will they opt to stay with their friends and siblings and settle for a second-choice program? If they choose or are forced by school closings to travel out of town, the increased bus time may cost them an after-school job. Having to catch buses will make it very difficult for them to participate in extracurricular teams and clubs. Students from farms will be hard pressed to do their required chores.

By far the most serious of these considerations is the effect of separating students along religious lines. The long-reaching effects this bill will have on our young people at a sensitive age can only be guessed at, but we do have some concrete examples of extreme sectarianism in Northern Ireland, Lebanon and Punjab in India.

The effects on parents: the decisions of students will be shared by their parents. Information must pass freely between the schools and the parents for intelligent decisions to be made. Communication between teachers and parents is difficult enough without the added hardship of extra distances between home and school.

The effects on teachers: the Act to amend the Education Act provides some legislative guidelines, but uncertainty is already leading to a decline in morale. Teachers are asking: "If I lose my job in the public system, will I have an opportunity with the separate school board? Will the eight, 10 or 15 years of experience in my chosen profession be recognized if I move from the public board to the separate board? Even if I continue to teach in the public system, will I still be teaching in the area of my expertise? Will my salary and fringe benefits remain the same if I change boards?"

"What of the retirement gratuity accrued while working with the public board? Will there be any financial assistance if a career change is necessary? Will my lifestyle be acceptable to a separate school board? Will there remain equal opportunity for advancement or will my religion or lack of it effectively end any hope of progress in my chosen career?"

This or any committee could not possibly write a piece of legislation that would give any single group 100 per cent protection. Therefore, we professionals foresee a never-ending series of challenges to this legislation if it is put into effect. Much of it, as it affects both students and teachers, contravenes the Canadian Charter of Rights and Freedoms. The human impact of the government's decision on teachers must not be overlooked.

Administration: the submission of the Perth County Board of Education clearly outlines the problems of rural boards administering a small system. It makes a good argument for a unified board and a shared system.

Such a system would solve many of the problems inherent in segregated boards. A shared system would also resolve many of the concerns expressed with regard to schools, students, parents and teachers. We, the secondary school teachers in Perth county, support the position of our board and that of the Ontario Secondary School Teachers' Federation with regard to unified boards.

Summary and conclusion: facts and concerns outlined in this brief are presented for your consideration. We have no doubt you have heard them all before, probably many times. This should not lessen their importance. The problems of program maintenance and cost-efficient administration in a small county can best be met by a unified school board.

The problem of providing a broad, balanced program to students on a nondiscriminatory basis, as well as preparing all students to live and

work together in the 21st century is solely in the hands of this committee. You alone have the power to shape the type of educational experience that will be available for the students of Ontario into the 21st century. Please do not sacrifice their and our future on the throne of political expediency.

We thank the standing committee on social development of the Ontario Legislature for the opportunity to present this submission.

I am sure that is nothing new and nothing you have not heard before. The facts speak for themselves. What will eventually happen to the small school boards and the people and students they serve is in your hands. As stated in the brief, no legislation you devise will or can cover all situations that now or could exist. With this legislation, we foresee a continuous series of challenges of the Canadian Constitution.

The political pressure that produced the Scott Act, article 93 of the British North America Act and, finally, the Canadian Constitution with the notwithstanding privileges of the provinces, do not make separate school funding right.

I would like to quote from a July 2 United States Supreme Court majority decision. I have copies for everybody. "Even a praiseworthy, secular purpose of providing for the education of school children cannot validate government aid to parochial schools when the aid has the effect of promoting a single religion or religion generally or when the aid unduly entangles the government in matters religious." Justice William Brennan wrote that decision for the majority.

On the eve of the 21st century, for any modern government in any small part to repudiate the long and bitter conflict that has led to the present separation of church and state is unconscionable.

10:20 a.m.

In all fairness, if you must fund one, you must fund all. If all are publicly funded, you need only one combined board, not one for every sectarian school. The students of Ontario cannot afford it. They cannot afford to have their education dollars shrunk by duplication of services.

Mr. Chairman: Thank you, Mr. Webster. The clerk will pick up those copies and distribute them to the members whenever you have them ready. Are they over there?

Mr. Webster: Yes.

Mr. Chairman: Thank you particularly for the demographic outline of Perth county's school population. That is particularly useful for us.

We did have a meeting with the board prior to this and most members have an idea of the size

and the distance that a lot of kids have to travel right now for education within the system, but I cannot remember, and maybe you can clarify it for me, whether there was a difference between the overall Catholic population of the county and its concentration in the major populated area of Stratford.

Mr. Webster: Yes, there is a concentration in Stratford and there is a concentration in Listowel; from there on it is thinly spread.

Mr. Chairman: Are you aware yet of the proposal from the Roman Catholic school board as to where it would locate? The first plan would be to locate in Stratford, I presume.

Mr. Webster: It was in Stratford, yes.

Mr. Chairman: Is it easy to tell yet whether the major drawing for that school would come from Stratford itself or from the county at large?

Mr. Webster: It will come from Stratford itself. About the longest feasible bus trip they could have is about 15 or 18 miles north into Milverton.

Mr. Chairman: Essentially, the two largest schools, which have the capacity to lose some students but maintain a program, would be the ones that would be affected.

Mr. Webster: Yes. Unfortunately, Mitchell is only 12 miles away from Stratford and it is quite an easy trip. That is the one school we are afraid of more than any other; that is, the loss from Mitchell.

Mr. Guindon: How many student places do you have at Mitchell District High School?

Mr. Webster: How many classes?

Mr. Guindon: No, students.

Mr. Webster: I believe the figure is 680. It has been declining for a number of years, but it stopped declining two years ago and they actually added on some more shop facilities.

Mr. Guindon: Are most of your schools filled to capacity?

Mr. Webster: No. Listowel has a potential population of 1,200. That is what it was built for.

Mr. Chairman: I was kind of surprised that the population seemed to be holding. We have been hearing that the decline is continuing, but you had either slight rises or holding in several of the schools. Is that a recent trend?

Mr. Webster: That is, yes. It just started two years ago, and it has been holding. Actually, this year it has come up. You will notice that Listowel has the most; I think it is because of our proximity to Wellington and Grey.

Mr. Chairman: Without the extension, is it the projection that trend will continue at least to hold?

Mr. Webster: It will remain static or show a slight increase.

Mr. Chairman: That is interesting. I am sorry, Mr. Guindon. Anything further?

Mr. Allen: Mr. Chairman, like yourself, I appreciate the statistics and the demography we got from the presentation. Although we have heard some of these points before, I understand it is important from every point of view to have them repeated.

One question I have is whether, since this brief was prepared or in the course of your own reading of other presentations before this committee, the questions on page 7 with regard to the effect on teachers are ones that are more settled in your mind or not? You say it is impossible to provide 100 per cent protection and I guess you do not have 100 per cent now either.

I am wondering whether some of the questions you put here are ones where you have a sense that some of our discussions in this committee would satisfy your mind that we are moving to resolve: whether you are likely to be hired by a separate board, whether you would have salary and benefit transfers, whether you would have access to promotion and so on?

Mr. Webster: I am totally convinced myself that legislation will be made that will make it a complete and equitable transfer, but I am not satisfied there is any possible way that an individual whose lifestyle is diametrically opposite to that of the Catholic church will have equal opportunity. Under those circumstances, we will probably wind up with litigation because, as I said, I do not think there is any possibility of writing legislation that will cover everything.

Mr. Allen: As you know, we are proposing not to have designated teachers. We are proposing a voluntary system and also thinking about, but have not resolved, a way to provide for a conscientious objection so that a teacher who anticipates that kind of problem would not have to make the transfer and would still be protected. If you can help us with that kind of a notion, say with some formulation of an amendment to the bill that would provide that, it would help us greatly.

Mr. Webster: I cannot think of anything that could be put in, quite honestly. I really cannot. There is far more expertise in legislating and drawing up bills in this room. I do not think there is any possibility you could produce one single

piece of legislation that is going to cover all circumstances. It has never happened before.

Mr. Allen: We all accept that proposition. It is a ground rule around here that we do not cover all cases, and we cannot. We expect litigation; otherwise where would the lawyers go for their bread and butter?

Mr. Chairman: To cut down the graduating classes we have to have litigation.

Mr. G. I. Miller: Has there been any noticeable effect as far as the students are concerned because of the extension of funding this year?

Mr. Webster: Yes. I believe the enrolment in the Roman Catholic elementary schools has increased. We feel that is due to the thought they can go beyond grade 8. At the present time they cannot go beyond grade 8 in Perth county because there is no separate secondary school.

The enrolment has increased slightly. We feel it is not because more Catholics moved into the community, but because more Catholics are taking advantage of the elementary school and sending their children there. It is quite a distance. We do not have an elementary separate school in Listowel; it is about 15 miles out of town in a small village called Hesson. They have had a few more pupils enrolled there and their parents have taken it upon themselves to let their young children go that distance.

Mr. Bernier: Do you have any idea of the numbers?

Mr. Webster: No, I do not.

Mr. G. I. Miller: Has there been any discussion between the two boards of education about sharing facilities? Has there been co-operation at that level?

Mr. Webster: You would have to ask our school board about that because I am not privy to that information.

Mr. Chairman: The federation has not been involved in discussions between the two boards at this stage?

Mr. Webster: No, we have not.

Mr. Chairman: In some areas it seems to be an automatic invitation; in other areas it seems to be something that is avoided. Is there anything further, Mr. Miller?

Mr. G. I. Miller: I believe that is all.

Mr. Chairman: I have a supplementary to Mr. Miller's question. Has there been a decline in the enrolment of the public elementary panels or has it been holding steady?

Mr. Webster: It seems to be holding steady. There was less than the predicted increase in our elementary, but whether a demographic movement has caused that we do not know.

Mr. Chairman: But it is still holding in terms of the active numbers.

Mr. Webster: Oh, yes. It stopped declining about six years ago. The decline stopped about 1979 and started to hold, and then a slight increase began.

Mr. Reycraft: My question is supplementary as well. Is the increase in the separate elementary enrolment because of a transfer from the public system or just increased enrolment in their kindergarten?

Mr. Webster: Increased enrolment in their kindergarten.

Mr. Reycraft: There is no shift from the public elementary schools?

Mr. Webster: We really do not know. We know the Roman Catholic enrolment has gone up. They have not given us the exact figures. The Roman Catholic separate elementary school has increased slightly, more than they expected, and ours did not increase as much as we expected. To find out whether that is a demographic shift or an actual change in choice, we would have to interview the individual parents involved.

Mr. Reycraft: Are there very many students from Perth who travel outside the county to get a separate secondary education? I think I asked the same question of the board when it was in. I am sorry, I cannot remember the answer.

Mr. Webster: No.

10:30 a.m.

Mr. Reycraft: What about movement of students from one community to another, say, from Mitchell District High School where the program is more limited than it is in some of the other areas? Are you finding many students from those areas go to the larger centres because of broader program offerings?

Mr. Webster: No, not from Mitchell. They do go from St. Marys District Collegiate and Vocational Institute, but not from Mitchell. There are a few students who have gone from St. Marys to Stratford Central Secondary School, but that is simply because last year they started a semester system. The academic students have moved into it because it means they can get their Ontario academic courses and graduate in January. That seems to be the attraction.

Mr. Allen: I am interested in the response to the question as to whether separate secondary-

age students leave the county or not. The answer, if I heard you correctly, was that you did not think so.

Mr. Webster: The ones that we know of go to Christian schools. A Christian secondary school has been opened in Belgrave. We know several students have left for that.

Mr. Allen: What concerned me was that you report the separate elementary enrolment level is more than 1,400 and the number of Roman Catholic students in the secondary public system is more than 700. Do we assume from that there is a loss of virtually half of the students moving from the separate elementary into the secondary levels of education?

Mr. Webster: Yes.

Mr. Allen: Really? My goodness, that is drastic if that is correct. It would be interesting to see figures from the separate board on that to see whether that is happening. If that is the case, then obviously there is something of a case locally for a separate secondary school to encourage further educational impetus for those students if the reason is difficulty—psychological, peer group problems or what have you—in moving into the secondary school.

If I might ask a question on the composition question of the local schools, where do the private elementary students, which you say are mostly Mennonite, go for their secondary education?

Mr. Webster: Depending on where they live, mostly in the eastern quarter of the county adjacent to Wellington county, most of them go to Stratford; and we have quite a few of them in Listowel. Most of them are female. In my 15 years in Listowel I have yet to see a male Mennonite come into the secondary system.

Mr. Allen: The females go to some of the public secondary schools?

Mr. Webster: That is right. I am talking about the old order of Mennonites, I am not talking about the new order. I have yet to see one of the male members come in. You are wondering where they go. I know where they go. They are held back until they are 14 or 15 and get early school leave to work on the farm.

Mr. Chairman: That was one of my questions, subsequent to Mr. Allen's question. Is that the same for the Catholic students as well? They are supposed to stay in school until they are 16 unless they get an early leave.

Mr. Webster: They all come to our schools; the Catholics come to the secondary schools. The separate elementary enrolment is 1,408. On

graduation very few, as far as I know, have ever left the county because the distances are too great. The closest Roman Catholic secondary school is in Kitchener, and the next closest is in Walkerton.

Mr. Chairman: There is not a dropoff there?

Mr. Webster: No, there is no real dropoff.

Mr. Reville: Maybe the problem is that the figure of 729 students quoted on page 5 of the brief is an approximation, if it is arrived at by taking the percentage of Roman Catholics in the county and multiplying it by the involvement in the school system. Perhaps you have numbers of how many of your secondary students are Roman Catholic?

Mr. Webster: No, we have not done a survey on that.

Mr. Reville: You may not be facing a terrible dropoff then.

Mr. Webster: No.

Mr. Chairman: That makes a lot more sense, I must say. It may not make more sense, but the discrepancy in figures, because you have not gone after figures based on religion, is obviously something that is difficult to do in the public system at this point. That is the discrepancy; it does not make sense that half of them would be taking an early school leave and staying on the farm.

Mr. Webster: No, it does not.

Mr. Chairman: Are there any further questions? If not, thank you for your presentation and the questions you have raised from most of the members on the committee. Have a safe trip back.

Our second deputation this morning is Catholics Active for Life. This is exhibit number 845.

CATHOLICS ACTIVE FOR LIFE

Father de Valk: Good morning, Mr. Chairman and committee members. My partner is Mrs. Pat Gerretsen and I am Father de Valk. We would like to thank you for all your patience. I understand I am number 845. Our presentation will be a little different from the one just received in that it deals with another aspect of your concerns rather than figures and statistics. It will be more on the content, as we see it, and the problems that are created.

We have three points we would like to discuss. One is the argument that the Catholic system is really an anachronism these days. Second, we would like to make some observations about the secular public school system. Third, we would like to tackle the question Dennis Timbrell has

put in his election platform for completely open access of both school systems.

Are Catholic schools an anachronism? Some opponents and critics have argued that case. They say that 1985 is not 1850 and we should not be hidebound to old traditions. I quote from one submission—I forget now from whom—which reads, “The old religious antagonisms have faded and the conditions which gave legitimacy to the establishment and retention of separate schools have largely vanished.”

Columnist Frank Jones in the Toronto Star had a similar remark just months ago, saying the critics are criticizing because the Catholic school system is an anachronism.

It is our view that while educational values are no longer the same as they were in the mid-19th century, the conflict still remains. I am sure you have heard a number of times that the Catholic school system was started in Quebec when Protestants asked for their own schools in a predominantly Catholic province.

When Ontario followed suit, the only difference was that, unlike Quebec where they referred to the Protestant and Catholic school boards as Protestant and Catholic, the Protestant school board in Ontario was called the public school board. Despite that, it was Protestant in whatever that meant in those days, including substantial hostility to Catholics and the Catholic faith.

Today that is no longer the case, but as time has passed, the public system has been secularized and has ceased to be Protestant. Our view now is that we can see that a number of Protestant groups are unhappy about it and we support them in their endeavours to have some kind of funding.

I have just come from Alberta. I spent 12 years in Saskatchewan and five years in Alberta, up to 1983. The public school system flourishes in both those provinces, despite the fact that in Alberta the government gives 80 per cent of operating costs to independent schools, not to all independent schools but those that have agreed to submit their curriculum to the Ministry of Education.

10:40 a.m.

The secular school system, I mention here, is no more acceptable to people of religious conviction in the 20th century than the 19th-century Protestant public school could be to Catholics. Christians of all denominations are faced, not with a benevolent neutrality which desires to treat all denominations equally, but with an aggressive secularism attacking and rejecting religious values both doctrinal and moral.

You have received submissions that indicate this. The Ontario Coalition for Abortion Clinics, the Humanist Association of Canada, People of Secular Thinking, Reverend Bill Morris, Canadian Civil Liberties Association and several other groups such as these have all indicated that as far as they are concerned religion and Christianity should be removed. It, they contend, is a purely private affair and should not be allowed to exercise a function in the public forum. In sum, the Canadian Civil Liberties Association seems to go as far as saying that religion is an evil because it supposedly causes intolerance and divisiveness.

Earlier in the year, the association submitted a brief to the Ministry of Education in which it argued that the two half-hour periods of teaching Christianity in the public schools should be removed. They argued there was no connection between religion and morality; therefore, you do not need religion, you can have morality independent of it.

It is our belief that some of this aggressive secularism has penetrated the public school system. The first instance is expressed by the absence of the teaching of Christian doctrine; as a result of which there is a vacuum needing to be filled. Once Christianity is removed, other systems take its place. We mention three here.

One is the values clarification process, an approach that is now being discontinued in some schools because it is unfeasible and it encourages children to develop ethical values without the use of external standards or value systems, with Christianity being dismissed in more than one school as indoctrination. We do not want to have that.

Another example which comes from Alberta is the sex education curriculum adopted there. I wrote a paper on it and sent it to the Ministry of Education. This program deals entirely with health. Health becomes an end in itself. It seems, right through the grades, that if you are healthy that is the greatest moral achievement that can be had.

Another example, one closer to home, is the Toronto Board of Education. On June 20, this board approved compulsory sex education for the senior grades of the public schools despite protests from parents.

Among the 28 recommendations: a compulsory sex education course after grade 10; the provision of agencies and information on birth control, homosexuality and abortion; the assurance of confidentiality between students and teachers, which means that parents can be

bypassed in telling teenagers that they can have contraceptives; and the integration of family life and sex education into all courses.

Trustee Doug Little, a member of Planned Parenthood, called opponents "a small vocal minority" that is not only out of step with the 1980s but may be out of step with the 20th century. We have appended a little write-up from the newspaper, *The Interim*, to the back of this paper, which goes into details of that case of the Toronto Board of Education.

We are pro-life activists and we take a special interest in this area. As far as we are concerned, the trend in the public school is one we oppose. As you may know, the pro-life voice is almost never heard in the public school system. Consequently, students are denied knowledge about ethical standards we believe to be truly beneficial to the common good, to say nothing about the beauty or reality of life before birth.

We bring these points to your attention as reasons that explain in part why Catholics and, increasingly, parents belonging to other faith communities find, the public school system unacceptable.

The more profound difference deals with the question of what religion is. What is its place in the curriculum of the high school or even the elementary school? Our view, the Catholic view then, is that the Christian religion is a revelation revealed to mankind by the son of God, the Second Person of the Trinity, who was born of the Virgin Mary and became the man Jesus, who was true God and true man.

This point of view rejects the view of religion held by intellectual liberals. These hold that religion is not a branch of knowledge. Religion, they think, is a feeling, an emotion, an affection. According to this view, religion is subjective, something based on taste and sentiment, and since everyone has his own tastes, it is a private matter.

The best of these secular-minded intellectuals may think religion to be useful, perhaps for keeping good order and peace, and perhaps even beautiful on occasion, when they hear a Gregorian chant or something of that nature, but basically they hold that when you come to ask for academic credits for religion in the high school, that is like asking for credits for fine feeling, gratitude, patriotism or motherhood.

In contrast, the traditional Catholic notion holds that faith is an act of the intellect, its object is truth and its result is knowledge—real knowledge—even though this knowledge is de-

rived from a source which itself is beyond the limit of man's mind.

The Christian view of knowledge includes both empirical and revealed knowledge. On the other hand, the modern evolutionary view restricts itself to the empirical side, to what we can count, weigh or measure, claiming that is the only true knowledge man can acquire.

I have a page here in which I go into some detail about the regretful development through which even leaders of religious communities, such as Dr. Garnsworthy, the Anglican archbishop, and Reverend Clarke MacDonald, former moderator of the United Church of Canada, seem to be committed to a secular view of schooling and education.

In 1984, Dr. Garnsworthy's view was reported under the headline, "Public Ought Not to Pay for Schools that Teach Catholic Values." He was quoted as objecting to "the negative attitude the Roman Catholic Church has towards contraception. I do not agree with the Roman Catholic position on abortion or its teaching on planned parenthood." A year later, in a submission to your committee on August 28, he added divorce to the list.

In 1984, he went on to state that "nonreligious schools are the wave of the future, because of our pluralistic society. Religious schools, in fact, are a thing of the past, and by his move last week, Premier Davis took us back to the past." Again, in his submission one year later, on August 28, Dr. Garnsworthy spoke several times of finding "a reasonable solution," without spelling it out. Nevertheless, the general tenor of the submission is clear enough: he desires one common school system which is secular and therefore, according to him, suitable to our "pluralistic, secular, technological society."

Reverend Clarke MacDonald supported him in these views, adding his own example as to why he feels the Catholic school system is unacceptable.

I might mention that Reverend Clarke MacDonald also felt called upon to attack fellow Protestants. He said it might divide people "in a Keegstra fashion." He did not mention that Mr. Keegstra taught in a public school, not in one of the Protestant private schools in Alberta.

His general solution for future schooling is to have a secular educational policy, one that removes all Christian doctrine and dogma, for which he would like to see substituted the syncretic system of values derived "from all living faiths."

I am not altogether certain—in fact, I have my doubts—whether these two gentlemen represent a widespread community, although another former moderator of the United Church, Mr. McLeod, seems to fully support this view.

On the other hand, we had proof of an opposing view just a few days ago when the London Free Press reported that the Anglican synod meeting in Stratford was very strong on asking for more religion rather than less religion in the public school system. Of course, we would support that view. We would hope, as indicated earlier, that a greater facility would be developed, that there would be a real pluralism in which Protestant, Jewish or Muslim members would get some kind of recognition in the public school system.

10:50 a.m.

Our last point is on Mr. Timbrell. You know his four points: accessibility of all students to the Catholic system; no discrimination in the hiring of teachers—I think the word "discrimination" should be in quotation marks there—sharing of facilities in small communities where there is only one high school; and the clear-cut right of students to opt out of religion studies at will rather than because of distance, disability or special courses.

Even the Globe and Mail saw quite clearly that really means a proposal to secularize the Catholic school system. It is not only a reversal of Mr. Davis's proposal; it goes further and requests that even the existing grades 9 and 10 be converted to a regular secular system.

As to our comments on that, as far as point 3 is concerned, of course there has to be some co-operation, perhaps a great deal of co-operation, but there should not be compulsion. It should be co-operation that would work for the benefit of all.

As far as the other three points are concerned: on the first one with regard to access, Catholic high schools must in principle restrict this to Catholic children and to those non-Catholic children whose parents are willing to accept the schools' existing religious teaching and regulations. We really are puzzled why we hear this hammered in time and time again when the public schools are complaining about having fewer students in their system. One would think they would be anxious to keep as many students as possible to keep the public school system viable, and yet we have a proposal not to do that.

Similarly, with the selection of teachers, the word "discrimination" is inappropriate. We are talking about the selection of teachers. We fail to

comprehend what purpose is to be served by forcing on Catholic schools teachers who do not want to teach there, who reject the Catholic faith as well as its educational philosophy and who have no intention of abiding by the code of behaviour established by these schools.

I understand from the remarks of Mr. Allen that legislation would not be contemplated to have that kind of thing, that there should be some clause so that people who really do not want to teach in the Catholic schools should not be compelled to do so.

Finally, we fail to understand why students should be forced on Catholic schools when these schools do not want them and the students themselves do not want to comply in any way whatever with the curriculum or the general atmosphere of the schools. Our conclusions are listed. We reject any attempts to secularize the Catholic system.

We regret the hostility of many public school boards and the teachers' federation to a system different from theirs. I really do not know what we can do about it except that in small towns arrangements can be made.

We believe a spirit of accommodation and compromise will be necessary to iron out difficulties. Finally, we believe that in principle each and every student in Ontario's publicly funded school system should receive the same quality of schooling.

Mr. Chairman: Thank you, Father de Valk, for expressing your opinions in such a forthright fashion. If you have seen our agenda for today, you will have seen that we have a real mix of views being presented to us. On a given day, there is often a range of positions from very different kinds of perspectives. I appreciate your taking the time to come before us and express yours. Are there questions from committee members?

Mr. Offer: I would like to go to page 9 of your brief; it is your last page. Your first conclusion is, "We reject any attempts to secularize the Catholic system." I stress the word "any." Your third conclusion is, "We believe a spirit of accommodation and compromise will be necessary to iron out difficulties."

From the way they are worded, I get a sense they might be almost mutually exclusive. I wonder whether you might be able to expand on where, in your view, accommodation and compromise will be required and will be achieved, while at the same time there is the rejection of "any attempts to secularize the Catholic system."

Father de Valk: Maybe we could remove the word "any."

Mr. Offer: Okay.

Father de Valk: That is written down and not every word is to be taken literally.

Mr. Offer: What would you suggest?

Father de Valk: It could read, "We reject attempts to secularize the Catholic system." The third one really referred to Mr. Timbrell's third point about small communities.

Mr. Offer: It seemed to me they were almost mutually exclusive. You indicated that you would take out the word "any." Would you put a new word in its place; another word, a substitution?

Father de Valk: No, we reject attempts to secularize the Catholic system. That is what Mr. Timbrell's proposal would do. It would make the distinction between the Catholic system as it exists today and the public school system simply disappear. If you are going to have teachers and students moving in at will, then there is—

Mr. Offer: I am concerned with your views, as opposed to Mr. Timbrell's.

Father de Valk: We feel Mr. Timbrell's view would be absolutely unacceptable.

Mr. Offer: You seem to indicate an objection to universal access, but what are your feelings if there were a universal access but not an automatic right to opt out of the religion class? In other words, students could go to either school, but if they went to a Roman Catholic separate school they would have to attend the religion class unless they attended for the reasons enunciated in Bill 30, for some need. If there was no need—

Mrs. Gerretsen: That is the way it is now. My children all go to Catholic schools. If any non-Catholics who attend the school do not wish to make the first Holy Communion, they do not have to. Nobody forces them to.

The only thing they have to accept when they attend Catholic school is that if they are in the religion class, they cannot go running off to the washroom while the teacher is teaching the religion class. They do not have to practise the faith or anything like that. The parents must have some reason for sending them there; I do not know what it is. They agreed to that before they sent their child to the Catholic school.

Mr. Offer: From what you are saying, this universal access would not be disagreeable if the child had to attend the religion class as it is now.

Father de Valk: Maybe the problem is wording. "Universal access" is a new term. We are simply pointing out that in the existing system Catholic schools do take students whose parents say, "I would like my child enrolled in a Catholic school and I am not a Catholic." The school then says: "We have room, so sure, if that is what you want to do. Are you aware that your child will have to attend religion class?" They say, "Yes, we are aware."

There is no problem there, but when you use a term like "universal access" it becomes a right of everyone. That is the way I would interpret it. Maybe it is the wrong interpretation. Everyone can simply say: "Okay, this school is down the street. The other one is two blocks away. We have a right to choose the one nearest us and so I am sending my child there. I really do not like that place, but I do not want my child to walk three blocks. There are several traffic lights."

If that is what universal access means, then I think we are mistaken in doing so.

Mr. Bernier: In part of your presentation you hit on a couple of sensitive areas that are of interest to me. One was your comment about Alberta and Saskatchewan. We have been consistently asking various groups about what went on in those provinces when extension took place.

11 a.m.

Father de Valk: Yes. I was in Saskatchewan from 1965 to 1978. In 1962, they had a battle in the election. The New Democratic Party proposed to fund Catholic high schools which had not been funded, unlike Alberta. The two provinces were created at the same time, in 1905, and Alberta went for two parallel systems from 1905 onwards, but Saskatchewan did not. The NDP government in 1962 proposed to have complete funding of the Catholic school system and it was finalized in 1964. It has operated since that time.

In Alberta, as I said, the two parallel systems date from 1905. The third tier, independent religious schools—almost all Protestant religious schools—had been seeking funding. Three years ago they crowned their system by getting funding for operating costs, not capital costs, for the colleges. There are two Lutheran colleges, one Christian Reformed and one Seventh-Day Adventist.

The independent high schools and elementary schools are usually Bible-oriented schools; therefore, some of them have refused to submit to government program supervision and do not get anything. There are some outside Calgary that

are run by evangelists from the United States, I think. Others have complied with the curriculum requirements of the Department of Education and are recognized; they get up to 80 per cent of operating costs after five years.

Among the independent schools, there are three or four categories. There are those that co-operate fully with the Department of Education, and there are those that refuse any co-operation and so do not get a penny; but there are several classifications in the others that have developed as well.

Part of the unhappiness in Alberta is what is happening here. You have Christian Reformed groups and so on who are getting more and more unhappy about the public school system precisely because of the items I mentioned in the area of family and sexual morality, what we call a permissive society. They are so unhappy that they are even willing to go on their own, and naturally they are looking for some support.

As far as I am concerned, if the public schools continue on this road they are digging their own graves and should not be surprised that people want to sign off. It can be reversed. If Anglicans and other groups that have expressed that they want more Christianity in the public schools are successful, then that will lessen, but whether they will be successful remains to be seen. As I said, Dr. Garnsworthy seems to be speaking entirely of a secular system as if it is neutral. As you know, a secular system is not neutral at all. There is no such thing as a neutral system in education; you have either one thing or another. I hope they will succeed.

Anyway, in the west, that is the way it stands now. In British Columbia, it is the same thing; British Columbia supports independent schools at 30 per cent.

Mr. Bernier: Was there a weakness in or a downgrading of the public school system when they started to fund the separate school system in Saskatchewan? I ask that because we are hearing of the divisiveness and hostility that might occur here if we were to head in this direction.

Father de Valk: I do not think so at all. Their move was much more drastic than what is proposed here. The Catholic high schools received nothing. Here, grades 9 and 10 have been funded—not quite up to full high school funding; up to extension. Grade 13 is about to leave us; so we are looking at only half a step from what they did in 1964. They have a four-year high school program in the west.

Mr. Bernier: Another point is that I am getting different signals from different Roman

Catholic separate school boards, including my own up in the Dryden area, where they have no problem with open access. They say to me: "We have no problem because it does not happen in northern Ontario. Two or three per cent of our student enrolment is now Protestant. We do not think it will ever increase. They will go to their own school; they will not send them to our school. We do not think it is a problem. If it makes you feel better, fine."

Father de Valk: However, it has become a problem in some areas in Alberta. It would not be a problem where you have a stable population and it has always been that way, in small areas and so on. However, when you get bigger schools, in Edmonton and Calgary, you run into a problem.

For instance, when you have a Catholic French immersion school and the public French immersion school is five miles down the road, everyone in the area who wants to send his children to French immersion says, "Okay, we are sending them there." Then you get a problem—and it arises because the separate schools have let them in on the wrong foundation, I believe—because you get 20, 25 or 30 per cent of your students who are not interested in religion. They are there for French immersion. They are not in there because they are willing to accept religion. You create a problem by having such a large group of students who do not share the same kind of outlook with the other students.

If you had a stable situation where it was a matter of two or three per cent, there would be no problem at all.

Mr. Bernier: I have another point. Being a Roman Catholic, it bothers me a little when public school boards come before this committee and say: "The Roman Catholic separate school board in our area is not co-operating. There is not the same goodwill on their part. They are arrogant. They have the bit in their mouth, they are running with it and they do not care what happens. They are just charging ahead. It is difficult to deal with the Roman Catholic boards."

I am wondering if you have heard it or what you can do to lessen that hostility that seems to be there. It is not across the province; it is just in some areas.

Mrs. Gerretsen: We know nothing about that, not from outside of Toronto anyway. If they are doing that, they are absolutely wrong.

Mr. Allen: First, we have heard a lot of briefs, as you noted in your presentation. A considerable number of directors of boards of education have

expressed to us their concern about what you have stated about the absence of a systematic academic study of religion in the secondary schools.

My sense would be that while you portray an overall cast in direction to the mood and philosophy of the public school system, in practice it is a very mixed world. There are considerable numbers of teaching and administrative personnel who are concerned with breaking through that problem at this point. I thought I would report that to you.

Second, you do not have to answer this, but I sometimes have a bit of a puzzle as to why there is so much anxiety about values clarification. I am sure it is not the process. It must have something to do with the occasional content that gets thrown into that. As I listen to Catholic teachers of religious education and social values courses and what have you in the Catholic schools, the process seems to be very much the same, a process of helping children to explore themselves and their world and to ask questions of themselves and others and to try to resolve for themselves what the best moral posture is with regard to this, that or another issue.

Am I right in thinking that your concern is not with the process of values clarification as a method but with the occasional content that gets thrown into it by a teacher here or a teacher there?

Mrs. Gerretsen: I can answer that very simply. When it is taught from a spiritual base, it is fine. If God is number one, that is fine; then everybody knows he is number one. When it is taught from a worldly point of view where the human being is number one, then it is like throwing everybody here into a boat and we all have to decide who goes off the boat because the boat is not big enough to hold us all.

If you put children in that position at a young age without any belief, you are in trouble.

Mr. Allen: I am not sure the system presupposes that necessarily.

Mrs. Gerretsen: It is really simple. If you believe, you believe. If you do not believe, you do not believe. It comes right down to that.

Mr. Allen: That is a pretty straightforward statement all right.

Father de Valk: There is a similarity in developing the individual student's mind by encouraging thoughts. There is nothing wrong with that. But we do not believe you can develop an ethical view without some input from an external source. Ours would be revelation. Hindus would have something from their reli-

gion. The Judaic community would have something from the Torah.

As to putting put children on their own, the way I understand it, values clarification and self-clarification are precisely that; they are to search in their own minds and hearts at the age of nine and 10 and ask "What am I going to do?" They are not able to answer that kind of question. They are simply not able to.

11:10 a.m.

The whole process of education, to my mind, is passing on the values that have been received in the past. There is a certain age at which you are able to make decisions, but not at the age of six, seven, eight or nine; and not with these difficult problems. The problems are thrown at them and they get so discouraged.

As a matter of fact, I heard that someone in Ottawa had talked to a public school teacher there, and he said that grade 13 seems to be one endless series of courses on problems: problems in population, problems in this, problems in that. By the time they are finished, they are so discouraged because all these problems are presented with a number of answers and you take your pick. Nothing is given to them. This is a history teacher in the public school system in Ottawa, and he explained to me that he thought that throwing problems at 17- and 18-year-olds and not ever having any standard by which to judge these problems makes for a very discouraged population.

Mr. Chairman: We could have a discussion at length about values education and whether education should try primarily to be conservative in passing on past values or whether it should try to improve our society in moving forward. I am not sure it behooves us a great deal to spend our time on that when we have a number of other briefs and considerations to look at within Bill 30. Thank you both very much for your attendance today.

Our next presentation is from the Canadian Unitarian Council; exhibit 846. Please come forward.

CANADIAN UNITARIAN COUNCIL

Ms. Corlett: Good morning. I am Kathleen Hunter Corlett. I am a Unitarian, a Progressive Conservative, a lawyer, a parent and a native Ontarian. I am declaring all my biases at the outset so that you will not have to—

Mr. Reville: That is the most impressive compilation of biases I have ever heard.

Mr. Chairman: That is right. How do you live with yourself?

Ms. Corlett: I am doing it so you will not have to look for them and thereby be distracted from the content of what I am about to say.

We realize that by now you must have heard all the arguments in favour of and against the extension of funding. However, we came today because we felt it was important that you hear our particular perspective.

I am speaking on behalf of Unitarian churches and fellowships in Canada, and particularly those in this province. Unitarianism is a liberal religion in the Protestant tradition, the direct antithesis of what you have just heard expressed. We believe religious authority is found in the reason and conscience of the individual and not in the Bible or in the recorded sayings of founding fathers—or mothers, for that matter.

Although we are few in number, we have had an influence upon life in this province out of all proportion to our numerical strength. We have been in Ontario since at least 1845. The first Unitarian services were held in Toronto on July 6, 1845.

One of the founders of First Church in Toronto was Joseph Workman, who was a leader in prison reform and in the humane treatment of psychiatric patients. He became the first director of the Provincial Lunatic Asylum, now the Queen Street Mental Health Centre, where there is a theatre named after him.

However, in the context of today's proceedings it is important to know that he was the first elected chairman of the Toronto Board of Education. During the two years he held this office, he resisted all attempts to bring sectarian influences into the schools—probably the only two years in the school system that it was nonsectarian—or to undermine their character as institutions supported by public taxation and open without fees to all.

We have had a long tradition of support for nonsectarian public education. We believe in the separation of church and state, in freedom of religion and in the democratic process. We believe all three are threatened by the extension of support to the Roman Catholic separate high schools.

We discussed this at our annual meeting in London on May 20 and passed a resolution that, in view of the far-reaching importance of this issue, we ask the government of Ontario to suspend implementation of the extension of full funding to separate schools, at least until the constitutionality of the action has been tested in the courts. We also urge the other parties to encourage and support full and open discussion.

We see this as having important effects on the rest of Canada as well.

As a result of that resolution, we joined the Coalition for Public Education, of which I happen to be treasurer. You heard previously from the public education committee of the First Unitarian Congregation of Ottawa when you were in Ottawa. Some of the founding members of the Friends of Public Education in Ontario Inc., who also appeared before you, are members of our church in Olinda, Ontario.

We, as Unitarian Universalists, question the validity of the fundamental premises of Bill 30 and its congruence with the Canadian Charter of Rights and Freedoms.

We believe the democratic process has been ignored. The introduction of Bill 30 and the announcement of funding by former Premier Davis were not preceded by any public debate. It was originally argued that those appearing before this committee should confine themselves to remarks about how Bill 30 should be implemented and not whether Bill 30 should be implemented. Many prior groups have pointed out that since there was no opportunity to discuss the reasons for this bill anywhere else, this forum was the only recourse for those who had serious concerns about the premises on which Bill 30 is based.

The democratic process requires more than the periodic opportunity to vote on the elected representative of one's choice. An intrinsic part of the process is full and frank public discussion and debate on all important issues affecting the electorate. Indeed, in areas where legislation is likely to cause significant social change, it is customary to base legislation on the reports of commissions designed to study the issue in question and to solicit the opinions of experts in the field.

Because we believe in the democratic process and in the rule of law, we are prepared to accept that society will not always be ordered so as to reflect our principles and practices. However, the critical factor in our acceptance is that we have a prior opportunity to provide meaningful input into the process that results in any public policy. We have not had that opportunity. After a bill has been introduced is too late.

The government may, and almost certainly will, make amendments to Bill 30 as a result of these hearings, but these changes can only reflect those criticisms directed at the implementation of Bill 30 and not those that question the underlying historical assumptions on which Bill 30 is based. The democratic process has been ignored and subverted by the precipitate and ill-considered

manner in which Bill 30 arrived in the Legislature.

Freedom of religion is now an ancient concept rooted in our history and tradition. All citizens of Canada have the right to choose a religion or to abstain from choosing any religion. All faith communities have the right to build places of worship, train clergy, proselytize and operate schools. There are no restrictions on the free exercise of religion. All are treated equally by the Department of National Revenue and by local taxing authorities.

This tolerance for the diversity of religious expression is based on the principle of separation of church and state, a principle first articulated by English Baptists in the early 1600s. Although this principle is not as clearly enunciated in Canada as it is in the United States, where the Constitution clearly forbids an established church, it is still an important common law principle. No state church was ever established in Canada in spite of valiant efforts by early Anglicans.

There can be no freedom of religion where the principle of separation of church and state is not honoured. The extension of funding to Roman Catholic high schools violates this principle. By funding Roman Catholic schools, the government is saying in effect that this religion is so much more important than all other religions that its views deserve to be promoted among and inculcated in the children of its adherents at general public expense.

It may be that due to historical exigencies, Roman Catholic schools are currently funded to the end of grade 8 and, by extension of elementary funds, to the end of grade 10 in some places. This is an anomaly rooted in political expediency, an anomaly that ought not to be strengthened and extended.

As always, a clear distinction must be drawn between existing rights and those that are not yet in existence. New rights must be subjected to scrutiny and must be congruent with the letter and spirit of our constitutional principles. Justifications for the extension of funding are based on compounding an existing deviation from a fundamental principle in our society.

Freedom of religion for all taxpayers, including Roman Catholics, is diminished by the requirement that citizens pay for the propagation of religious opinions, even those that they accept. We, as Unitarian Universalists, will still be able to worship as we please in an Ontario where there is a complete Roman Catholic system. However, our tax dollars will be

supporting the promotion of views antithetical to our own in such fundamental matters as freedom of conscience and freedom of choice. This is a grave injustice. It is discrimination in favour of Roman Catholic school supporters against all the other persons who are taxpayers in Ontario.

11:20 a.m.

We believe the recently promulgated Canadian Charter of Rights and Freedoms was designed to protect and enhance our existing rights. One of these rights is "the equal benefit of the law without discrimination." The Second Vatican Council considered the issue of discrimination. I found this a very interesting quote. It declared in 1965 that "every type of discrimination, whether social or cultural, whether based on sex, race, colour, social condition, language or religion, is to be overcome and indicated as contrary to God's intent."

The only exception to discrimination enunciated in our constitution is that of a law which has as its object the amelioration of disadvantaged groups. Roman Catholics, who comprise the largest religious community in Ontario and one of such significance politically that two successive governments have been willing on their behalf to ignore the democratic process and the legitimate concerns of the remainder of Ontarians, can hardly claim to be a disadvantaged group.

The discrimination in favour of Roman Catholics in the extension of funding will have as its effect the complete separation and segregation of Roman Catholics in the most important element of culture, education. It is ironic that we recently viewed from a distance the struggle of American blacks against the insidious discrimination of the "separate but equal" school system they endured, and that we are still, apparently, willing to enshrine such a travesty in our own system. If one considers Northern Ireland and Beirut, what positive effects can we envisage from the entrenchment of such segregation in Ontario?

I have no personal experience of Beirut, but I can speak about Northern Ireland. My father was born in what was then a united Ireland in the year 1900 to Anglican parents. When he started school there was one public school system open to all. He had as school friends Roman Catholics. His mother trained him to lift his cap to the local priest as a mark of respect. In general, an atmosphere of religious tolerance existed.

When he was 10, the public school was bifurcated into two fully funded systems, Roman Catholic and Protestant. Immediately, the children commenced fighting on the way to and from

school. The result today is evident in the sectarian violence prevalent even in rural communities in Northern Ireland.

While it is not my intention to deal with the implementation of the bill, it is important to note that the primary discrimination in favour of Roman Catholics tends inevitably to discrimination against all others in areas such as the hiring and promotion of teachers and administrators. Whether you call it selection or not, it means that a person graduating from a teachers' college who is Protestant has one half or one third the opportunities to be hired as a teacher.

Our constitution expressly forbids discrimination on the basis of religion, race, national origin, etc., for good reasons. These are known as prohibited categories. Our rights as Canadians are individual rights which accrue to us because we are citizens of Canada. Any rights that derive from being part of a group must of necessity be very suspect, for it is not logical that any group can gain an advantage without resulting disadvantage to other groups. If a group is given a benefit, for example, old age pensioners, then it can only be for the clearest and the most widely accepted public policy reasons.

There are no policy reasons that justify segregating Roman Catholics. There are no advantages to society as a whole; no cost savings—in reality, great cost increases; no improvement in the client of tolerance—actually a decrease; and, finally, no indication that education for either Roman Catholics or others will be improved.

It is a basic tenet of our religion that every individual is entitled to the free and responsible search for truth as a guide for his or her own life. The public educational system is also based on this premise. By facilitating the expansion of the Roman Catholic school system, we are ensuring that children born to Roman Catholic parents will be deprived of this opportunity, with the full co-operation of the state.

While there are no good public policy reasons for state-supported religious schools, there are many reasons for universal free public schools. Canada has achieved its present level of democracy largely because of the public school. When the Massachusetts Bay colony set up a system of community-supported schools in 1647, it was a revolutionary event. Never before had education been a right of the common man or woman.

Because of widely available public education, Canadians of all sorts and conditions can participate in public life. This wide participation ensures that the majority can never be dominated

by a small, privileged minority as was the case before widespread public education. Public education is the avenue by which immigrants to Canada enter freely into public life. We do not have Roman Catholic and Protestant, but many groups.

In 1867 the main non-Roman Catholic groups could be gathered together as Protestant. This is no longer the case. We have in Ontario significant minority groups that are not and have never been part of the Christian tradition. We also have a significant group of people who have no specific religious attachment.

For so many diverse groups to live and work in harmony, they must have a common allegiance to the same historical principles of democracy and egalitarianism. These principles are best learned in a public school composed of members of all the faith communities and others now resident in Ontario.

I have read the arguments advanced by the government in favour of funding. I have read many of the submissions made by proponents of full funding. I understand their arguments. In my view, they all possess the same fatal flaw; they are historical arguments. No one has presented any current rationale to substantiate the funding by all taxpayers of schools for one religious group.

The historical argument has a long tradition. When the famous persons case was argued before the Privy Council, the government's position was then, as it is now with respect to the funding question, based on historical arguments. The persons case, as you may remember, resulted in the Privy Council ruling that women are indeed persons.

The government argued then that because the word "persons" did not include women at the time various laws were enacted, it could never include women in its definition. That line of reasoning, although it has a certain kind of twisted logic, results in a complete dismissal of any kind of change or evolution in society.

Ontario is very different now from what it was in 1867 and different from what anyone then could have reasonably imagined it would be. In 1867 women were not persons. Women could not vote; men had an absolute right to the custody of their children; and "coloured people" could have their own schools.

Suppose now, on the basis of the British North America Act, coloured people demanded their own schools. Who would be considered coloured? In 1867 people knew what they meant by coloured, but we would not know now. Could

Canadians of Chinese origin demand their own schools? If they did, would the government argue that if a person was not part of the definition of coloured in 1867 he or she could not be considered coloured now?

Obviously, a great deal has changed in Ontario. We will be doing ourselves, our children and future generations a great disservice if we do not re-examine the basis for extending funding in the light of all the changes in Ontario in the more than 100 years since Confederation.

Accordingly, the Canadian Unitarian Council urges the government of Ontario to reconsider its position on the extension of funding to Roman Catholic high schools.

Mr. Chairman: Thank you for your presentation. I have a couple of things. One is that the matter is often raised about the democratic process not being followed because a bill is introduced. As a lawyer you are probably aware there are precedents of bills which have gone through second reading being withdrawn. It is not an unnatural process at all for us to hold hearings at second reading. In fact, it is more frequently done than with green papers or after first reading. It is very unusual for that to happen in the parliamentary process.

A matter that comes up a lot is that people are always making the argument about separation of church and state within the Canadian framework. I would really like to question that, if I might. You say you admit that the principle is not as clearly enunciated in Canada as in the United States, but then you say it is somehow a basic tenet of common law that this should be the case.

11:30 a.m.

Given that the British system is the source from which all the tenets of common law have evolved, that in England there is a state church and there has not been that acceptance of that principle, on what basis do you think there is, in some clear constitutional terms or in the way our society operates through common law, a tradition of a separation of church and state?

Ms. Corlett: Originally, when England went through a long 100-year period where they tried to force one religion on everybody, it did not work. The basis of that is the reason they have a state church. At that time, Baptists and others argued that they should be able to follow their own religious beliefs. Over a long period of time people acquired other rights, such as the free exercise of religion, which did cause that separation of church and state.

This was true right up until Disraeli's time. Disraeli's parents had to have him christened as

an Anglican in order that he could take his full part in English life because of that state and church phenomenon. It has been a developing tradition in England gradually to have a separation of church and state. Although there is a state church, it is now not a requirement that one be an Anglican to be member of Parliament.

Mr. Chairman: No, but the Queen is the head of the Anglican Church, which is the state church.

Ms. Corlett: That is true, but—

Mr. Chairman: I find that argument a very American argument and not part of our tradition at all, or very slightly. I was fascinated that it was brought up.

Ms. Corlett: It is an historic principle and that is why we did take it on. That is the reason we did not have Anglicanism as a state church here. There was a lot of agitation in the beginning.

In the early days of this province no one but Anglicans could perform marriages. Since there were not enough Anglican ministers around, there were lots of problems with that. When the Parliament was at Kingston, there was a huge foofaraw about whether dissenting clergy could perform marriages. That is a separation of church and state principle, and you see it there.

Mr. Chairman: At least a partial one. We can debate it for ever. Another thing that fascinates me is why people always raise Lebanon and Northern Ireland. They never raise Switzerland as an example of where four different languages have worked together in a very segmented fashion, but in a cohesive state. They never raise Holland as an area where they have had different religious schooling for many decades, if not centuries now, and have lived in harmony.

Why is it always Lebanon and Northern Ireland that are raised as if it were the religious differentiation that was a problem and not some economic or colonialization that was more of a problem in those areas?

Ms. Corlett: There is quite a big distinction between Switzerland and Holland and Beirut and Northern Ireland, in the sense that in both Holland and Switzerland a stable population evolved into this. In Northern Ireland there is the problem of another group of people coming in with a different religion, and that is the same problem in Beirut.

It is really that kind of dichotomy between people who believe in religion from authority and those who believe you have your own search. Those are the Shiites, or the equivalent of the Roman Catholics in their views, in the way they

understand the world to be ordered. That is what causes problems. I laughed when this lady said, "Either you have faith or you do not have faith; either you believe or you do not believe." We like dichotomies and people do tend to fall into those two separate things.

Mr. Chairman: The chairman is not supposed to do what I just did, but I always do. I will take questions from other members.

Mr. Allen: I appreciate the close reasoning that has gone into the brief and it certainly has an internal consistency to it which is very impressive, and I appreciate that. I am not sure I agree that the Shiite sect of fundamentalism is exactly analogous to Roman Catholicism.

Ms. Corlett: That might have been a little bit of hyperbole.

Mr. Allen: None the less, we will let that one by.

The application of the person's case in this issue is a very interesting one. I wonder if you could reflect a little further on it for us because, while it is true that the argument against the Bill 30 proposition and its constitutionality can appeal to changes in the history of Ontario, it appears to me that support of Bill 30 can appeal equally to the changes that have taken place in Ontario.

The argument that was presented by the people immediately prior to you was essentially that there have been major changes that have overtaken the public school system, but those changes have not really affected the reasoning of a growing and large body of Roman Catholic parents who feel unhappy about this multiple-value education system and that the context of education best takes place in a single-value system for children who are growing; therefore, historically, they recognize that.

Then the person's case also applies to the question of what value you put on section 93. If this indeed applies only to elementary school, why does it need to apply only to elementary school in the late 20th century? From your point, is there not a way that the person's case really has a double application and has a kind of validity on both sides of the argument?

Ms. Corlett: It is the stock in trade of lawyers always to see things on both sides. I do see how Catholics argue that it is changing. I understand and have quite a bit of sympathy for the position of the previous speaker about the secularization of the public schools.

Although I am personally a religious humanist and so are most Unitarian Universalists—indeed,

we fought very hard to take prayer and so on out of the public schools—I know that is not neutral and I agree with it. The solution for Catholics and others—and I think it is significant that there are other Christians groups that agree with the Catholics on this—is not to break people down into groups but to address this problem in the public schools. There are large groups of Muslims who are not happy either with value-free education.

As long as you do this for the Roman Catholics, on the particular logic you expressed you are inevitably going to be drawn into doing it for other people on that logic. So really the government has to stick with the historical thing: we promised it to them in 1867. Drawing that out to say what was elementary then is high school now, while I understand that argument I think it is flawed in the sense that the basic premise is wrong.

Mr. Allen: I hear you suggesting that you would be quite happy to see much more systematic academic religious study in the secondary school system.

Ms. Corlett: Yes, I would. I thought the presentation by that Canadian ecumenical group—

Mr. Allen: The Ecumenical Study Commission.

Ms. Corlett: —was a really interesting thing. Because the public system maybe went off on a slightly wrong tangent is not a reason to throw up your hands and say, “No public education system can take into account values,” because I think it can. It is a question of whether it is sectarian values you want to propagate there.

Mr. Allen: Do you think that in the longer run developing that kind of program and perhaps somewhat changing the ambience, if you like, of the public school system in that respect and to

that extent, would facilitate a longer-term accommodation between the two publicly funded systems?

Ms. Corlett: Yes, I do. It has been offensive to me, for example, as a Progressive Conservative, that my child happened to go a school where many of the teachers were New Democrats and they fostered that.

Mr. Allen: That is a real hardship.

Ms. Corlett: He would come home and say things—

Mr. Allen: This multiple-value education has its problems.

Ms. Corlett: I can appreciate how people who are fundamentalist Christians, as much as I do not agree with it, are not too happy to have their child go to a sex education class and hear that sex is okay if it is responsible sex, which I believe, but I appreciate why they do not. I can understand why that is offensive to those people.

Mr. Allen: I appreciate your remarks. Thank you very much.

Ms. Corlett: You are welcome.

Mr. Chairman: Thank you for talking to us and thank you for your very articulate discussion with us. I apologize for my raising some of those issues. It was because I had repressed myself too much with the last group, not being sure I would actually control my questioning. Thank you very much for our dialogue as well.

Ms. Corlett: Thank you.

Mr. Reville: Mr. Johnston's child may be taught by a Progressive Conservative.

Mr. Chairman: Yes, it is terrible. I have some empathy with your concern. The meeting is adjourned until 2:30 p.m. The first group that we expected at two is not arriving.

The committee recessed at 11:40 a.m.

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Miller, G. I. (Haldimand-Norfolk L)

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From Catholics Active for Life:

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Webster, H., Ontario Secondary School Teachers' Federation, District 22, Perth County



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Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development

Education Amendment Act

First Session, 33rd Parliament

Wednesday, October 30, 1985

Afternoon Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 30, 1985

The committee met at 2:34 p.m. in room 1.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the meeting to order. The deputations this afternoon begin with the Frontenac County Board of Education, exhibit 847. Welcome. I have several names down here.

FRONTENAC COUNTY BOARD OF EDUCATION

Mr. Foster: Mr. Chairman, on my left is Mr. Ray Shadbolt, director of education for Frontenac county; and on my right, Mr. Dave Parry, a trustee and former chairman of the board. I am Stephen Foster, present chairman of the board.

I apologize that the copies did not get to the committee earlier. Apparently they went astray in the courier system. Certain typographical errors appeared within the brief. The corrections appeared on the screen of the word processor but did not make it to the hard copy.

Mr. Chairman: Modern technology is wonderful.

Mr. Foster: (A) Generally, the Frontenac County Board of Education:

1. Supports strongly the concept of only one fully and adequately funded public school system accessible to all students in Ontario;

2. Does not support the full funding of any one religious denomination for the stated purpose of indoctrinating youth exclusively with that faith;

3. Does not support the way the implementation of full funding has proceeded in Ontario;

4. Does not believe that two parallel systems of publicly funded education, one of which is exclusively denominational, meet the changing needs of a pluralistic society in which there are many valid espoused positions. The Catholic or any other faith is not the sole source of morality and goodness within this society.

(B) Assuming, then, that the government of Ontario will extend full funding to Roman Catholic schools if it is deemed constitutional by the courts, the Frontenac County Board of Education believes that the following principles should apply:

1. Any student who wishes to attend a Catholic school must be admitted without respect to his or her religion. This board contends that any child has the right to attend and to be accommodated in a fully funded system. Catholic students do not have a first right to attend a fully funded system of public education. All ratepayers should have the right to direct their property taxes to either system according to where their children choose to attend;

2. All teachers, without respect to different private lifestyles and beliefs espoused outside the classroom, but consistent with the general obligations of a teacher under the Education Act, must be allowed to teach in publicly funded schools, as freedom of thought and expression must be fostered in a free society. Fully funded Catholic schools can exist only if they deliver the universal components of curriculum approved for Ontario schools as well as any religious or alternative point of view. We believe that all young people must be challenged to think about many issues in different ways. All fully funded systems should have the right to teach credit courses in religious education. Public taxpayers should not pay the costs for priests or others to teach Catholic religion within separate schools;

3. Catholic schools must not be permitted to select their student populations or limit any programs that would place any additional burden on public boards to provide for hard-to-serve students unless there are mutual agreements between the boards of education. Where trust prevails between boards this concern is not a problem, but most Catholic private high schools have accommodated academically inclined students in the past;

4. Notwithstanding that any student who wishes to attend a Catholic school must be admitted without respect to his or her religion, public boards should be permitted to require their employees to be public school supporters if Catholic boards are permitted to discriminate on the basis of religion. Public school ratepayers should not have to pay taxes indirectly from wages to the separate school ratepayers who are employees. We believe public boards must continue to hire by merit and qualifications only but insist upon the public school supporter status. Similarly, separate boards should be able to insist

upon separate school supporter status for its employees. Conversely, and we believe more appropriately, all areas of discrimination in a publicly funded system should be abolished;

5. Financial and political incentives should be made available by the government of Ontario to any public or separate boards that wish either to amalgamate wholly or in part or to engage in any other creative organizational patterns that will avoid the costly duplication of administrative and support services required to implement the prescribed curriculum for Ontario schools.

2:40 p.m.

This board does not agree at all with the frequent public statements that Catholic schools must have Catholic teachers, superintendents, consultants, etc., in order to ensure the complete indoctrination of students. Purchasing, bus scheduling, accounting and other areas do not need to be duplicated in order to maintain any religious integrity. It is interesting to note that in England historically the education authorities have accommodated both Catholic and Church of England parochial schools within the administrative jurisdiction of each authority.

Consequently, the Frontenac County Board of Education recommends:

1. That any further extension of full funding to Catholic Boards of Education be delayed until all the guidelines for the future of public education in Ontario are clear, accepted and confirmed by law;

2. That the government of Ontario take every step possible to encourage the integration of young people, while respecting the inevitable differences within a pluralistic society. Legalized discrimination or bias on the basis of creed, colour or any other limiting classifications only continues to exacerbate the problem. It does not lend itself to solutions of mutual knowledge, respect and harmonious coexistence;

3. That the government of Ontario develop long-range plans and provide public assurances with respect to the future funding of public education in Ontario. The annual transfer of funds, arbitrarily determined centrally without respect to local needs, is a most unsatisfactory and unacceptable planning model;

4. That no discrimination against staff or students be permitted in any system of education that is fully funded from provincial and local taxation;

5. That the government of Ontario develop a comprehensive plan to subsidize more alternatives in public education, starting with fully funded alternatives accessible to all, with partial

subsidization depending upon the extent of the restrictions that are placed upon curriculum, students and staff.

The last extreme alternative would receive no public funding because it would teach its own unique curriculum and select its own student body and staff according to its own criteria, which could discriminate and not be in the interest of the common good. Instruction based on a specific racial bias or a specific religious bias would be an example.

We believe the public system in Ontario is the only system in the province that is totally accessible to all children regardless of race, creed, colour or religion.

Mr. Chairman: Thank you, Mr. Foster. I do not know whether it was just the cleverness of our clerk, but we seem to be missing pages. It is a great technique to make you focus on what is being said as well as read it. I am not sure whether it was the fault of our copier or whether something was missing. I hope some members have entire packages that we might—

Mr. Foster: We can leave a complete copy that can later be duplicated.

Mr. Chairman: Thank you. At least it is in the transcribed records in an accurate fashion. Are there questions from committee members?

Mr. Reville: I would like to get your reaction to a comment that was made this morning in a deputation. It refers to your proposal (B)1: "All students who wish to attend a Catholic school must be admitted without respect to his/her religion."

We had a deputation this morning from a group called Catholics Active for Life. This is what they said:

"With regard to access, Catholic high schools must restrict this in principle to Catholic children and to those non-Catholic children whose parents are willing to accept the school's religious teaching. We are completely nonplussed why anyone would want to force public school students upon Catholic schools when the latter does not want them, while the public schools, meanwhile, base much of their opposition to Bill 30 on the speculation that their student numbers are threatened."

Can I get a reaction to that comment?

Mr. Foster: I think it is obvious from the tenor of our remarks that we are against any type of discrimination within a publicly funded system. We are not trying to force public students to go to separate boards or crying foul over declining enrolment.

But if a system of education in this province is being fully funded from the public purse, then every student or family in the society should be able to attend on a first come, first served basis, not on the basis of a priority list of one sort or another or because of his particular religious bias.

Mr. Allen: I suppose I could follow up that question at another level. Your brief begins by stating your opposition to the concept that lies behind Bill 30 and the existence of a separate school system that is based on religious assumptions as a publicly funded system.

As we all know, a constitutionally protected elementary system does exist on that basis up to grade 8, arguably to grade 10. If the courts find in favour of Bill 30, they may say that the constitutionally protected system is from kindergarten to grade 13. That is a possibility. When you say, "Assuming that the government of Ontario will extend full funding to Roman Catholic schools if it is deemed constitutional by the courts," then I presume it takes that assumption into account.

If it takes that into account—and your proposals on the following pages are consistent with that assumption—then do you not have to take into account the fact that the courts have argued that the constitutionally protected system has a right to selective hiring without being considered discriminatory, that the right to maintain itself extends to the means to maintain itself and that this is all constitutional and proper because that is the purpose of the system?

Given that maintaining this distinctiveness is constitutional, is part of the system, is part of why Bill 30 is being done, is it not more consistent for you to accept the proposition that the system has that right?

Mr. Foster: I understand your point. We are trying to make a couple of points on our own, one of which is that for a number of years society has attempted to eradicate discrimination in a variety of forms.

The society we live in today is not the society of 1867. Whether there are legislative or constitutional changes that need to be made to reflect the change in society and the needs of society today, we leave in your hands and in those of the Parliament of Canada.

We feel strongly that what we are doing now by extending funding beyond what was constitutionally valid in 1867, and subsequently extended somewhat after that, is to exacerbate and maintain the differences and discrimination and not to move to reconcile the peoples involved.

We object to that in principle, notwithstanding what the courts have said about the constitutionality of the issue.

Mr. Allen: I understand that argument. It raises some other questions that I will not press on you with regard to the recognition of distinctive communities in the midst of a plural society and how one respects their views and their intentions, as opposed to laying on them a majoritarian view of the way things should be.

Mr. Foster: I am not suggesting that. I am suggesting that you could have a single publicly funded system that would allow for differences to be explored and still save money for the taxpayer.

Mr. Allen: In your view, is it legitimate to do that when the large majority of a particular substantial minority group in question feels that is not the way it wishes to see life lived in the context of a pluralistic, democratic society?

Mr. Foster: I would argue that if you are going to allow a large minority or a small minority to discriminate, then you must extend that privilege to all. Then you have opened Pandora's box in a variety of ways that we have tried to avoid and eradicate during the past few years.

Mr. Allen: What is your reaction to the concept that the Association of Large School Boards in Ontario suggested recently, which is that the public board might very well become an umbrella board in the near future with respect to a variety of those alternatives and that one leave the future to resolve the larger question of harmonizing of Roman Catholic public education and public public education, if I may put it that way?

Mr. Foster: I think public boards are umbrella organizations now in a variety of ways.

Mr. Allen: They have begun to be, yes, and could be more so.

Mr. Foster: They could be more so. If we have reached the stage of having this type of debate, perhaps it would be the time to deal with the more central issue rather than to let it go by the wayside and deal with it at some later date.

Mr. Allen: So you would not put that scenario entirely to one side as an optional way of proceeding.

Mr. Foster: No. I am willing to explore all options.

2:50 p.m.

Mr. Chairman: It strikes me this is very provocative in a very positive sense. I do not

mean that in a negative sense at all. It is touching on a lot of very innovative ideas and provocative responses to discrimination of that kind, which I find fascinating, and some challenges in regard to co-operation. I note you are basically telling us you would like to see co-operation mandated in the legislation with respect to such things as busing and other kinds of things, or incentives for that kind of—

Mr. Foster: To go beyond what is currently in practice, our concern stems from statements made at these hearings and before. We know in our case that we do have co-operation with the local separate board with respect to some busing, some purchasing and tendering arrangements. We do not perceive co-operation as a problem in our particular area. But to go by hearings I attended and reports in the media, it does seem that it is a problem in other areas and we think the leadership role has to come at this end.

Mr. Chairman: It is often the tendency of the media, of course, to write stories about what the problems are where they do not exist; that is what a story is, the other is not a story, of course.

I think the members of this committee have come to believe as well during the summer that you are right, that there is an onus upon us to make sure we play a facilitating role, at least, in having people co-operate as best they can within their areas.

Are there other questions?

Mr. Allen: Do you have a few statistics with regard to what your impacts have been as you see them to date.

Mr. Foster: I will let the director answer that.

Mr. Shadbolt: We speculate, as all other boards do, but the figures appear to be minimal. In our jurisdiction it appears the larger transfer will take place from the Canadian Forces Base in Kingston, where there is a large French-speaking element. Those people used to attend Kingston Collegiate and Vocational Institute, and it appears now that more of those students are attending the Roman Catholic school than before.

But the minimal figures that we project with respect to impact are numbers like 34, 60, 50, 56 and 74, probably at maximum for the next few years. I am sure that if my colleague Ray Doyle were here he would say there will be fewer unless you build us a new high school.

Mr. Allen: Are those school-by-school or year-by-year figures?

Mr. Shadbolt: Year by year and totals.

Mr. Foster: It is guesswork at this stage. I am not sure anybody has a totally acceptable formula for deciding how you arrive at those numbers, but we are content at the moment that they reflect the situation.

Mr. Chairman: Do you have the capacity to measure the impact at the elementary panel level? Some areas do not seem to have the statistical data and capacity to know whether they are losing students at the elementary level from Catholic families who are now deciding to stream them entirely within the Catholic system. Other areas, like Halton, have a very good identification system; they already know the numbers they are losing at the elementary level.

Mr. Foster: We have attempted to identify them, but I do not know that our methodology is sophisticated enough to give us an accurate handle on it. It is a concern we have and it is a problem we are looking at at the present time.

Mr. Chairman: You may have noticed in the latest plan document you have to fill out that there is a full page for you to fill in, but with no specific guidelines on it because the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario was not exactly sure how you would identify that loss either.

It might behoove a lot of groups actually to get hold of Halton's model for identifying by school where kids have come from. In the future it may be the only way to identify that shift. If, as I expect, the committee decides to put something in about the elementary panel that is more specific than the omission of the direct statement that is in Bill 30 at the moment, you will need some format to be able to identify it, whether you are dealing with your federations or whether you are dealing with the Catholic board.

Mr. Foster: I think that as a means of avoiding conflict in the future the legislation should reflect some concern and direction in that area. Otherwise, if each board and each coterminous board is going on its own way in trying to arrive at a satisfactory formula, you have a mess very quickly.

Mr. Chairman: It is advice well taken.

Mr. Allen: If every thing is normal, I presume the student losses have generated in the order of 14 displaced teachers. Have you had that extended teacher displacement, and if so what arrangements have been made for transfers and how has that proceeded?

Mr. Foster: The figures the director gave were the totals on a year-by-year basis up to

1989, so to date we have not displaced anybody. This year our numbers are approximately 35. We have been discussing the methodology of how we will effect the changes with the separate board and we are not too concerned. We feel we will be able to work out an equitable solution locally. However, guidelines from on high would be appreciated.

Mr. Allen: On the whole, has your relationship with the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario been a good one to date?

Mr. Foster: I do not have any immediate concerns.

Mr. Chairman: Thank you Mr. Foster, Mr. Shadbolt and Mr. Parry. We did not hear from all of you, but we appreciate your attendance and I wish you a safe trip back to Kingston.

The next presentation is from the Ontario Secondary School Teachers' Federation, District 19, Quinte (Hastings and Prince Edward divisions). It is item 848.

I might remind the last presenters that we would like the full copy for our records. Think of the forest industry—never mind that; we have already maintained it.

Mr. Foster: I do not think we gave you recycled paper this time.

Mr. Chairman: I do not know how the next presenters would like to proceed, but if they want to read the brief or summarize it, either is fine with us. Then we will have questions.

DISTRICT 19, QUINTE (HASTINGS
AND PRINCE EDWARD DIVISIONS)
ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION

Mr. Meehan: We are here today representing 550 teachers in nine secondary schools in both Hastings and Prince Edward counties in eastern Ontario. Our district is something of an anomaly in geographic terms. Hastings-Prince Edward is a long, narrow district, 200 kilometres from Bancroft in the north to Picton in the south, but only 20 kilometres from Trenton in the west to Belleville in the east.

There are currently 8,150 students in our secondary schools; nine years ago there were 10,898. We are a district that has been hard hit by declining enrolment. There is at present one separate secondary school in Belleville, Nicholson Catholic College. The separate school board has indicated that in three years it will have increased its secondary enrolment sufficiently to

require a second facility in the southwestern area of Hastings county.

Two years ago, parents and students fought so hard on behalf of its community school that plans to close the oldest high school in Belleville, Belleville Collegiate Institute and Vocational School, were not carried through. Our largest community has already suffered the trauma of school closure at the elementary level and possible school closure at the secondary level because of declining enrolment. The possibility of the closing of one or even two of the five secondary schools in Belleville again looms large because of the additional losses anticipated through the extension of separate school funding.

We want to thank you for the opportunity of addressing you today. We must confess that our request to appear before you was late because we could not decide what approach to take towards the legislation. We feel the concept itself is wrong. Several of us feel the most appropriate action we could take would be to say it is our hope this bill will never be passed into law and simply leave it at that.

Others of those we represent, while also being opposed to the concept, suggest we should face facts, admit that no matter what the people of Ontario say you are going to go ahead with the legislation in some form and that the best we can do is to point out some of the major problem areas in the present form of the bill.

We finally decided our best course was to present both our reasons for opposition to the idea of two full, publicly funded systems, and to examine some ideas of specific concern.

When we spoke to the implementation commission last February, we were still hoping for a miracle. We hoped the commission, although its mandate was to implement, would be brave enough to say: "Wait a minute. We have to think this thing through before we decide to do anything. We need to know what direction the people of this province want us to take."

Ms. M. Werkhoven has just arrived.

Mr. Chairman: I apologize. For some bizarre reason we were five minutes ahead of schedule.

Ms. Werkhoven: Yes, and I was right on time.

3 p.m.

Mr. Meehan: The commission did not take that stance. You, however, are not bound by the same pre-established constraints. This should not be an issue you decide on the basis of party loyalty or political expediency. The decisions made around this legislation will affect the nature of education in this province for decades to

come. It is time that politicians, since they have the power to make decisions about what education will look like, consider what education in this province should look like. Here are some basic questions that need to be answered before you make any decisions.

Should students in Ontario attend schools on a religious basis at public expense? Should Roman Catholic students attend Roman Catholic schools, Anglicans attend Anglican schools, Jews attend Jewish schools, Dutch Reform attend Dutch Reform schools, Hindus attend Hindu schools and Moslems attend Moslem schools, etc?

If you are not prepared to give the option of separate, publicly supported education to all religions, is it reasonable and fair to give it to one? What kind of sense does it make to segregate one group of students on a religious basis when we live in a society that is becoming increasingly pluralistic? If religious values are important, how can they be incorporated in a more meaningful way into all our schools?

Those of us who have never favoured a separate system have accepted it, largely unthinkingly, as being sanctioned by tradition and our unique Canadian history. As well, it has not seemed unreasonable to allow a separate, religiously based educational environment for younger children because younger children assimilate the religious values of people close and important to them, such as their parents and teachers. For the most part because they have not yet reached the maturational level necessary for abstract thinking, they do not think about what their religion means to them.

When students move into secondary school they are also moving into the formal operations stage. It is then that they need to come into contact with other religious beliefs, both through informal contacts with students of different faiths and through formal teaching in comparative religion courses. Such contact will allow students both to see and to confirm their religious beliefs in the context of a variety of beliefs, and to gain some understanding and an appreciation of the religious beliefs of others.

The Ministry of Education documents that provide the framework for the development by school boards and by individual schools of educational programs in this province emphasize integration, not separation. The policies outlined in both Primary 1, Junior 1 and Ontario Schools, Intermediate and Senior Divisions, suggest a context for the learning of religious and moral values that would require students to be involved

in the diversity of Canadian culture, not artificially separated from it on the basis of religion.

Education in the Primary and Junior Divisions, the ministry curricula that provide the philosophical basis and rationale for the program of elementary education in Ontario, describes the values and goals of our educational system and the role of the teacher in helping children to achieve those goals.

According to P1-J1: "The role of the teacher is to provide the context in which the child can begin to work out a personal system of values and in which he or she has opportunities to analyse values in a societal context. The teacher should provide an example of an individual who lives by a clear set of values and who respects the rights of the individual to diverge from the majority opinion...teachers must not impose their own views on the children."

Ms. Werkhoven: The circular Ontario Schools, Intermediate and Senior Divisions sets out the goals, policies and requirements that govern the program in the intermediate and senior division. In the section on multiculturalism OSIS states: "...that the province of Ontario has a tradition of providing opportunities for people of various cultures, linguistic, racial and religious origins to build a life together as Canadians. The policy of multiculturalism ... requires the schools to help prepare all students to live in our multicultural society and in an increasingly interdependent world."

When we consider the focus adopted by the ministry responsible for educational programming in this province, some of us wonder if the more proper decision would not have been the dismantling of the separate system, not its extension.

One of the areas that has not received the attention we feel it deserves is the effect of extended funding on program. It is easy for us to see why there are so many misunderstandings surrounding this issue. Even many people who work in the schools do not fully realize what is involved in a decision to offer a particular program. It is not enough to have an enthusiastic teacher, good facilities and eager students; the numbers of students must be there.

We are not a small board but we are going to have problems. Let us give a specific example. Consider the dramatic arts program at Quinte Secondary School in Belleville. Each year 16 or 17 students enrol in the course. That is enough to run the program. However, since the average class size for a general level program in our county is 27.5, to balance this class another one

must have 38 or 39 students. Suppose just three of those 16 students transfer to Nicholson Catholic College. A class of 13 students is too small; the class will be cut. It will be the guidance personnel who will have to tell those 13 students they cannot have the course. No sharing of facilities will help. Nicholson, with three students, will also not be able to offer the program. It will disappear entirely.

The same results could also occur in such subjects as Spanish, machine shop or woodworking. Each year our principals prepare a list of in-danger courses, ones they fear may have to be cut the following year because of enrolment. Do we really want to have to say to those students, "No, you cannot have the course you feel you need"? Will you people be there to tell the students?

The problem becomes even more complex in isolated communities. Our district has schools in Picton in Prince Edward county, and in Bancroft, Madoc and Trenton in Hastings county. Each of those schools is isolated. The dramatic arts program has already disappeared at Prince Edward Collegiate Institute, as have certain technical programs. When programs are cut in these schools, we make a mockery of equality of educational opportunity in this province.

Finances have already had an effect on this opportunity. You no doubt have heard many times that the amount the province currently spends on education is not enough. The fact that virtually all boards are over ceiling in the secondary panel is one indication of the truth of this statement. In a time of restraint, when the public system is already underfunded, how much sense does it make to spend many millions on another system?

Other problems with financing become apparent when we begin to look at the details of the bill. In its present form, Catholic ratepayers have the right to switch their support from one board to the other. While it is probably safe to assume that parents of school-age children will not switch their tax support on a yearly basis, what about those whose children are finished school or who have no children? Do you not think it likely that some of these people will shop around for the best mill rate? How will the boards do any realistic long-range planning?

Naturally, we also have concerns about the effects of this bill on our teachers. Much has been made of the fact that no teacher will lose his or her job because of the effects of this action. However, the conditions of employment will change, not just for those who are forced to move

into a system different from the one they consciously chose to work for years ago, but also for those who remain.

Many boards now have provisions for declaring redundancy based on seniority. These provisions were developed to cope with the problem of declining enrolment, a natural event. They were not designed to deal with disasters caused by legislation. A disproportionate number of female teachers are at the bottom of these seniority lists. These will be the people transferred. Do you really want to present fewer female role models to the students in our public schools?

Of the three teachers who were transferred this year from the public to the separate system, two were female; one of the two was a science teacher. At a time when we are already concerned about the dwindling number of female role models in nontraditional subjects because of declining enrolment, the added problem of a further loss because of extended funding is particularly disheartening. This will be one of the consequences of your actions.

Another consequence will be to skew artificially the age distribution of the teachers in both the public and separate boards. The public boards will have fewer younger teachers; the separate boards will have proportionately fewer mature, experienced people.

The teachers who are forced to switch systems will run into problems with their terms of employment. The collective agreements with respect to benefits and working conditions simply will not match. If those working conditions are ever to match, there must be a great deal of co-operation and consultation among separate boards, public boards and the affiliates concerned. We in Hastings and Prince Edward counties have a problem there and we suspect it is a problem we share with other areas of the province.

Nowhere has the separateness of the two educational systems in this province been made more painfully apparent to public school teachers than in the separate system's treatment of the issue of displaced public school positions. Any negotiating, any agreements that have been made in our district about displaced teachers have been made by boards.

Our own public board in Hastings county has been most co-operative, both in listening to our concerns, in drawing those concerns to the attention of the separate board and even in making the process of consultation a clause in our collective agreement. The separate board, how-

ever, despite our several overtures, does not want to talk to us.

3:10 p.m.

The separate board agreed, on the basis of the projected declining enrolment in the public system, to hire three teachers from the public system. They did hire three people, all Roman Catholics, but as these people all held part-time positions in the public board, they hired the equivalent of 1.9 teachers. Our inquiry regarding the shortfall was addressed by our own director. The question was raised with the separate board, both by us and by the planning and implementation commission, to which we had sent a copy of our letter of inquiry. We do not know whether the separate board ever responded to the commission; it did not respond to us.

This preference to ignore public affiliates is understandable perhaps, but is not realistic. Where staffing and seniority are an issue, collective agreements are involved; and where collective agreements are involved, boards must be prepared to talk to teachers. When separate boards' actions infringe on public teachers' collective agreements, separate boards must be prepared to talk to representatives of public school teachers. We have not seen this happen and, frankly, hold out little hope that it is going to happen.

Mr. Meehan: One of the few positive spinoffs of our former Premier's impulsive going-away gift has been the co-operation and consultation engendered between local public boards of education and local branches of the Ontario Secondary School Teachers' Federation. Our presentations to the three commissions—on implementation, on funding and on private schools—were all joint presentations of briefs that had been co-operatively drafted and approved by six affiliate groups and the board.

Our board was unable to get unanimous approval for these briefs, largely because in each case the briefs were strongly opposed and voted against by the separate trustees on the board. On this issue, the separate trustees were no longer representing Roman Catholic students and their parents in the public secondary schools; they were representing the separate system. Those of us who watched the debates as they occurred in public session sensed a wariness, a divisiveness, even a bitterness in the discussion that had not been apparent before. Just as the matter of a teacher's religion became an issue last year in the staff rooms of public secondary schools, so has religion become an issue at the board table.

It threatens to become even more of an issue in Hastings in the future. The number of separate representatives is changing with this municipal election from two to three. We find it both ironic and inappropriate that this should be the situation. If you insist on trying to patch what we see as being bad cloth, we would suggest that the following areas certainly need to be addressed.

Programs: additional funds must be guaranteed to ensure that no program is lost in any community.

Female staff: a full analysis of the potential for the disparate impact on women in the public secondary schools must occur before the committee makes its final report to the Legislative Assembly.

Section 136l of Bill 30 must be amended to require that board of education plans submitted annually to the planning and implementation commission include sex-related data as follows with the list of designated persons: identification of impact on the staffing of the sending school by subject and by sex; identification of impact on the staffing of the sending board by subject and by sex; and identification of impact on positions of responsibility held by women within the sending school and the sending board.

Section 136r of Bill 30 must be amended to require that the planning and implementation commission not be permitted to approve board of education plans that decrease the overall percentage of women within a school or within a board, or which eliminate women from any subject area in any school. Where the plan submitted would cause such an effect, and no other solution can be found, subsection 136l(8) should obtain.

Dealing with redundancy, we urge the standing committee on social development considering Bill 30 to recommend strongly that the Ontario government amend the Teachers' Superannuation Act to allow early retirement at the age of 55 with a minimum of 10 years experience, such provisions to be in effect for a minimum of 10 years.

With regard to financing, a clear statement of who is eligible to be a public school ratepayer must be developed. Without trespassing on human rights, i.e. preventing a Catholic from being a member of the public ratepayer group, there must be some mechanism to prevent a constant process of switching support.

With regard to trustees, while it is too late for this year's municipal elections, a policy must be developed that clarifies the roles of the trustees elected by separate taxpayers.

With regard to the overall structure, to ensure communications among all parties involved in the education of students in our communities, a unified school board must be part of any proposal to extend funding.

We would like to thank you for the opportunity to appear today and we hope you will consider these particular areas of concern.

Mr. Chairman: Thank you. I always knew there was a reason we never started on time and certainly never started ahead of time, and I hope that is the reason.

Ms. Werkhoven: When you are coming from the boonies, you have to take advantage of doing a number of things in Toronto.

Mr. Chairman: Exactly, and make the trip worth while.

As you indicated in your opening remarks, you may have taken a long time to pull this together and to get it before us, but the result is very worth while and thoughtful. I liked the tone very much, having read or heard the vast majority of those we have had before us up to this time.

A number of your suggestions are ones that the committee is already actively looking at, including the female staff problem. I know we are expecting some sort of recommendation from the committee on the question of superannuation outside of the act. I have been told there will be a motion brought forward on that.

How many trustees are there on your board?

Mr. Meehan: Nineteen.

Mr. Chairman: So it will not change any voting ballots having three instead of two for this period until—whenver it is going to be now, 1987?—when that position will actually end.

Mr. Meehan: No.

Mr. Chairman: But you do want to make sure there is no conflict of interest. It seems to me it could be done by guidelines from the ministry to the boards. Some suggestions there would make some sense. We have heard a bit on that as well.

Are there questions from the committee members on any of the matters raised, either about the examples of programs or anything else?

Mr. G. I. Miller: I was wondering about the sharing of facilities. At present we are funding separate schools to grade 11 with the extended funding this year. Have there been any plans? I noted there are schools surplus to the needs. Are there plans for sharing those facilities, and with what board?

Ms. Werkhoven: I do not know that there are plans at present. There is one school between Belleville and Trenton which is threatened with

the possibility of being closed or sharing facilities. It is not something we think is likely to happen because we have been made to understand the separate board is not particularly interested in sharing facilities. They would much prefer to have a separate facility of their own. They already have one school in Belleville and they would like to have another school of their own somewhere near Trenton.

Although there is a public school there, what we have heard is that they do not really want to share facilities; that there is too much of a difference between the kind of atmosphere they have established in their own school where students wear uniforms, for example, and our school. We understand there is probably enough money available so they will not have to do that. What we are probably looking at is the closure of a public school and the building of a separate school.

Mr. Chairman: What do you mean by saying there is enough money available; they have enough money as a board on their own without any provincial dollars?

Mr. Meehan: Yes.

Ms. Werkhoven: Yes. They would not need ministry grants. They have enough money available to them to build their own.

Mr. Meehan: One of the problems we had in talking about their plans is, as we have said, they will not talk to us so we have to go on what we are hearing at second hand.

Mr. G. I. Miller: Has the commission been involved to intercede?

Mr. Meehan: In terms of what?

Mr. G. I. Miller: Resolving the problem and bringing both boards together.

Ms. Werkhoven: The boards have come together as they are supposed to, although members of our public board have indicated the process has not worked nearly as well as they had hoped it would. The separate board is reluctant to enter into that kind of dialogue. It has happened, but only as far as has been necessary for it to happen.

There has certainly been no initiative taken by the separate board to talk to representatives of secondary school teachers, although we have indicated to the separate board that we feel it is necessary for the two groups to talk, particularly when we are talking about transfer of staff. Our director has attempted to set up joint meetings of the separate board and of the two public boards that are involved. Prince Edward and Hastings are two separate public boards but the one

separate board covers both. We have not had any luck in doing that.

The public board in Prince Edward has had even less success in setting up conversations with the separate board because the public board has only one secondary school in Picton. The stance of the separate board has been that there is not likely to be much impact in Prince Edward county, so there is not a great deal of need for a conversation. That part of it has been frustrating.
3:20 p.m.

Mr. Davis: I have a couple of quick questions. One is a follow-up. I may be wrong, but even if the separate school still had enough money to build its own school without drawing on ministry grants, it would still need approval. My understanding of the direction of the planning and implementation commission and my understanding of the direction of the minister, which he stated several times, is that there will not be building of new school facilities if there are existing facilities available.

It seems to me that with that thrust from our Minister of Education (Mr. Conway), if that school you talked about became a vacant school within the next short period of time that would have to be somehow dealt with before your coterminous board could build.

Ms. Werkhoven: It would not become a vacant school though. The increase in enrolment the separate board is projecting is 300 students. They would not be able to run an adequate program with 300 students so they would need to share the facility.

Mr. Davis: That is part of a process. How many students are in that school now?

Ms. Werkhoven: A thousand; no, fewer than that. That would have been two or three years ago. They must be down to nearly 800. But it was a school built for 1,200 so—

Mr. Davis: So there are roughly 400 pupil spaces available in that school.

In regard to the discussions by the two boards, is my understanding correct that both federations did not take part in the discussion about the transfer of teachers?

Ms. Werkhoven: Our discussion has been with our board.

Mr. Davis: Only.

Ms. Werkhoven: Yes.

Mr. Davis: That is one of the questions we raised about the signatories to the new guidelines. We felt the directors, the trustees and the federation should be there, at least for the

discussion. They may not agree with what you say, but they should be there.

In a village like Bancroft, do they have a separate school?

Mr. Meehan: A separate secondary school, no. There are quite a number of elementary separate schools there. There is one in the village itself and there are many others in the surrounding areas.

Mr. Davis: Where do those students go?

Mr. Meehan: Right now they are going to North Hastings High School.

Mr. Davis: North Hastings. Where is that from Bancroft?

Mr. Meehan: North Hastings High School is in Bancroft.

Mr. Davis: Is it at full capacity?

Mr. Meehan: No, it is not. There are about 800 students there as well.

Mr. Davis: So in a jurisdiction like the village of Bancroft itself, the possibility is that the coterminous separate board would share that building.

Mr. Meehan: I suppose the possibility exists. The feeling we have is that they do not like the idea of sharing facilities very much.

Mr. Davis: So what would they do in Bancroft?

Mr. Meehan: What they are talking about right now is purchasing services from the public board. In other words, the students would continue to go to the public school in Bancroft.

Mr. Chairman: That is certainly what they indicated to us when they came before the committee. They saw no change there, except for trying to get some religious programming if that ever became possible. At that stage they did not see it as practical but they did talk about the Trenton option, as I recall.

Mr. Allen: I want to come back to the question of the arrangements around the hiring of the three teachers. I gather there is an agreement between the two boards as to how transfers will take place pending Bill 30 and its arrangements. Was it, in fact, followed in letter but not in spirit? Are you telling us the pupil-teacher ratios indicated that three teachers had been lost, or the equivalent, and, therefore, they have had to be hired by the separate system?

Ms. Werkhoven: Part of the problem was that the agreement was made between the two boards and they talked in terms of three teachers rather than three positions. If the federation had been involved, there would have been an attempt at

that point to clarify whether they were talking about teachers or positions. It was not clear at the time the agreement was made whether they were talking about teachers or positions, because that discussion did not take place.

When they hired three people, they did not hire the equivalent of three full-time teachers. It was something we were not involved in. When we asked the board about it, we got no response from the separate board. The director indicated, because our question went early in September, that the agreement had been made on the basis of projected enrolments and that they would not be able to make any final decisions until the projected enrolments were verified one way or another at the end of September.

Mr. Allen: You have lost me a little. We have done a lot of coming back and forth on the question of designated teachers and positions and wrestling that whole question out in the bill. You know we are moving in the direction of positions and volunteers and what have you.

Presumably if the pupil-teacher ratio indicates that the equivalent of three teachers is lost, the equivalent of three positions is also lost. That part of the process is what I do not understand. Do you understand the agreement to say that the separate board, regardless of whether you are designating teachers or positions, will still be responsible for three full positions or three full teachers?

Mr. Meehan: Yes.

Mr. Chairman: That is similar to what the planning and implementation commission was saying to us. They will assume the same thing.

Mr. Allen: Exactly.

Mr. Chairman: They were talking the other day about a carryover year to year as well. They felt that if there was a deficit in what was owed by the local Catholic board they would see that as something that would carry over to the next year.

Mr. Allen: Precisely. That is what I was going to suggest. If that is the case, the answer the planning and implementation commission would presumably give them would be, "You are still responsible for 1.08 teachers next year."

Mr. Chairman: could we inquire of the planning and implementation commission whether it did respond to the inquiry placed by the district and, if so, what the method was?

Mr. Chairman: Yes, we will make contact with them and I will get some word for you.

Mr. Allen: Perhaps if we can get an answer, we can get that back to them in turn?

Mr. Chairman: We will ask the commission to forward this information.

Mr. Allen: The only other question I have relates to what you say on page 2 of the text, that students in the secondary years "need to come into contact with other religious beliefs, both through informal contacts with students of different faiths and through formal teaching in comparative religion courses." I want to ask you about the words "need to." Are you implying that in your view it would be good to have a compulsory comparative religion course for all students at the secondary level?

Ms. Werkhoven: That is not a question I could answer, other than personally. It is certainly not a question I could answer on behalf of my district. My personal response would be yes.

Mr. Allen: Mr. Meehan, yours would be?

Mr. Meehan: I would say yes as well. Again, that is a personal response.

Mr. Allen: You consider that such a course would be helpful to students in an academic sense and personally that it would warrant that kind of status?

Mr. Meehan: Yes.

Mr. Chairman: Thank you again for a very thoughtful brief. You have hit on some of the areas we have been thinking about and you have been more specific in one or two of them than we have yet discussed, which is very useful to us at this stage. Enjoy the rest of the time you spend in Toronto.

Our next presenter is Mrs. T. Barber. This is item 536, not in the sequence, the long-paged document that was circulated earlier on. Welcome.

THURSA BARBER

Mrs. Barber: I was born in 1923 back up in the bush not far from where the last people who spoke came. There were no schools and if you ever went to school, it was only to the entrance to the final examination for high school.

In this year, 1985, I resent being forced to pay increasingly high taxes for a divisive, separate and religious educational system, paying higher taxes to set up two publicly funded school systems when I did not receive any help to pay for my education beyond entrance to high school. I absolutely refuse to do it. Denial of the privilege of voting on this question in the last election was asinine and should show any thinking person how close we have come to total abrogation of

our rights and how far along the way our masters have led us on the road to bondage.

3:30 p.m.

Giving the privilege of publicly funded education to one separate religious group opens a Pandora's box. Do we have the money to fund separate educational systems for the Anglicans, the Jews, the Arabs, the Armenians, the Chinese, the Presbyterians, the Unitarians, the Japanese, the Greeks, the Hindus and the Moslems, all of whom we have here? I think not. Our taxes are already out of sight, and this added burden would be such that only a favoured few would be able to afford property. Is that your goal?

If this were a step forward, I would say yes and damn the taxes, but it is a step backward into the Dark Ages. You have just put a ban on imports from South Africa because of their separatism and you are hypocritically setting up the same damned thing here education-wise. I am not in agreement with this.

I am going to lead a tax revolt, withholding of taxes by all senior citizens, if you bring this in and ram it through Parliament into law and force it down our throats, just the same way Trudeau always did with every rotten thing he forced upon us for the past 16 years—pressure from the top. Many of us senior citizens will lose our homes when the municipal tax is doubled to pay for this excess.

It is time that you people, whom we the taxpayers have voted to have represent us, stood up and pulled your brains up to the correct anatomical position and took a good hard look at where this nation and you, yourselves, are headed. Who do you think is paying you? I am now speaking for the untold thousands who do not have the time, the money, the energy or the knowledge, and are too overburdened with double loads of work and paying the already too-high taxes to fight city hall.

I am an unauthorized representative of all taxpayers in this country who, when grades 7 and 8 were added to the public system, heard one of our good representatives who had been feeding from the public trough for untold years say, "It will be a mere \$90 per year." I want you to know that to unpaid nonworking senior citizens who are trying to hold on to their residences, and to thousands of others who are not nurtured in the public trough, \$90 is one hell of a big bite.

It has since tripled and compounded. This present year, that little piddling nothing amount of \$90 is \$811, just a wee, nonimportant amount if you are being paid from the public purse and are not required to live by a budget as do we

senior citizens whose homes and livelihoods are being jeopardized by this utter stupidity.

If none of you, our elected representatives, have the intestinal fortitude and backbone to stand up now and say no to this religious organization which will only be creating divisiveness, separatism, bigotry and a debt that will not be eradicated for the next 10 generations, you do not belong as leaders of our country.

We are already paying a horrendous debt and abominable taxes, as a result of the last 16 years of stupid economics foisted upon us by the federal government, and our Ontario tax, due to the first part of this funding, is already beyond reason.

When it was purchased in 1966, the tax on one small house was \$273 per year; this year, 1985, the tax is \$1,087. Education tax is 60 per cent of that.

In the mid-1960s, this country took off on a stupidity bent, and I think it is time to say, "No more." It is time to stop, look, listen and check up on where in hell we are headed and if we really want to go.

To correctly interpret the British North America Act, think back to the time and conditions of this country when it was written, and you will find the Catholics were a very small minority and were not only fearful of losing their religious freedom and way of life, but also in some cases their lives. I remember that, too. Those were the days when it was not uncommon to see a person tarred, feathered and ridden out of town on a rail, or tethered behind a horse and dragged for miles, all due to ignorance because of religion.

If it was such a good thing, why did Sir Wilfrid Laurier vote against full funding for the Catholic school system? Sir John A. Macdonald, in order to unify the country, was willing to capitulate on this question.

Not so Sir Wilfrid Laurier who was, I am told, a good Catholic. He turned it down. Why? Because the man was endowed with sufficient brain capacity to recognize the people could not afford two publicly funded school systems, and that a religious publicly funded educational system would be a divisive factor. He believed, as do I, that the church and state should be separate. Education is everybody's business, and thus part of the affairs of state, since all of the people make up and are part of the state.

The churches are for religious teaching. Live your religion in your everyday life. Do unto others as you would have them do unto you. Forget the separatism. All denominations going

to school together and mixing creates a more tolerant understanding of each other.

Everyone should have the right in this Canada of ours to whatever religion they wish, but education is a sum total of all knowledge and should be taught in an unbiased, nonbigoted atmosphere. That could never be attained in any school run by any church group, regardless of the denomination.

Why spend colossal amounts of money on two publicly funded educational systems when one good system would better serve all? We should amalgamate, and take the best from both systems. After all, we are one people, one nation, or are we?

There should be one good publicly funded system from junior kindergarten through four years of university, and if a person is gifted and requires further study, that too should be funded by the public. It should be free and open for all Canadians, regardless of race, colour or religion.

As a nation, we need to rethink our total countrywide educational system and make it universally identical. Children of families moving from one province to another are always either ahead or behind in their classes in the new school or totally disorganized.

For the colossal amounts spent on education in this country—Alberta alone in the 1976 census paid \$154.8 million per year—we could have a uniform nationwide educational system. Behold the four educational systems of Quebec. I call that lack of brains. Who the hell is paying for it? The overburdened taxpayer.

I do not care if the teacher be white, black, brown, yellow or red; a rabbi, a priest, an Anglican clergyman, a nun, a Hindu, a Muslim, an Eastern Orthodox, Unitarian or a Presbyterian. The important criteria, to my thinking, is that they be clean, well-groomed, decent, open-minded, nonbigoted, tolerant, dependable, patient and an impartor of knowledge, a real genuine teacher.

3:40 p.m.

As a nation, we should recognize that next to a good mother, nothing is so important as a good teacher. Good teachers, be they female or male, cannot serve two masters. At one time, the professional teacher was a very honoured, highly respected person in the community. No more; they are now considered another cog in the labour wheel. They have, by dropping their professional status and joining with the union, become part of the rabble, the blackmailing sector of the country, an aid to breaking down all the decent things that are and were once part of this nation.

A real professional teacher should be personally able to bargain and make their own contracts with the school board without the aid of a parasitic union organizer. Because of union organizing and total lack of thought or caring for the children involved, we have strikes closing schools during the school year. That is not professional; teachers have lost the respect of the general public.

All salary negotiations should be by contract between the teacher and the board of education. There should be a minimum and a maximum set salary with raises commensurate with ability, at the commencement of each school term. This type of healthy negotiation would cut out the union parasites who have crawled into every facet of our lives, eroding and corroding as they go. Eliminate greed, reorganize our values, and our teachers should be placed at the top of any list, even ahead of our elected representatives.

All school days should start by standing to salute the flag and singing our national anthem, followed by a prayer of thanks to the Creator. I know damned well many will balk at this but who, may I ask, does not have some kind of a recognized creator?

Remember, we the taxpayers will no longer sit silently by and meekly hand over 60 per cent of our taxes for a cause that is totally unnecessary. Remember, we will, and can, withhold our taxes. Thank you.

To give you a rundown on who I am and where I came from, my background, I had a grandmother who was French Huguenot; my people went to Scotland, then to Ireland, then to Quebec and then to Ontario, and every place they went there were some religious intrusions into their lives.

I have Roman Catholics on both sides of my house, and I have Protestants on both sides of my house, and I also have some atheists around. I am not talking for any one of them. They are all good people and I can see all sides of their points of views.

We have had a great deterioration in our country in the last 16, 17 or 18 years and it is time people like me, who sit at home all the time doing nothing, got out and said what they feel and think. I want to thank you and I want to apologize in advance to any whom I might have insulted. There was no insult intended personally, but—

Mr. Chairman: It has been a pleasure to have you with us. Is this the first time you have addressed a public meeting or a legislative committee?

Mrs. Barber: I am afraid so. I am a very uneducated person.

Mr. Chairman: It was long overdue. That is exactly the kind of animated discussion we should have, and we all appreciated the way you got through it without hesitation. I saw you take a big breath as you got started, but you did not need it. You were in good form as you came before us.

We have had a lot of people come forward who have never been before committees before and who decided, whichever side they were on, that it was very important to get out and express their opinions this time. It has been a refreshing experience for us as legislators, because we often just see lobby groups which have vested interests in an issue, one way or another; very seldom do we see the average citizen. It is good that you have come.

Let us see if there are any questions. Are there questions for our witness?

Mr. G. I. Miller: That brought me delight. I kind of like that. That brought me delight this afternoon. I like that presentation.

Mr. Chairman: I thought that was impossible. It is a major accomplishment.

Mr. G. I. Miller: There is one question I would like to ask you. We have worked under the system. There has been separate school funding for a long while in Ontario. We have just extended it to grade 11. Would it have been of real concern to you, if this had not come forward? It has given us an opportunity to take an inside look. I have not had the opportunity to do this before. I wonder whether or not you had that opportunity.

The second thing that has come to our attention is the fact that four provinces, other than Ontario, have full funding, and it is working quite well. I was not aware of that. I do not like to pay taxes any more than you do. However, I think we have to be fair. If all the students were going to public school, the cost would be exactly the same as it is going to be now. Do you not think they, perhaps, have the same right to full funding as other provinces?

Mrs. Barber: What is wrong with funding one school system, which has an overall religious arrangement, offers a religious education, and teaches young children, at the start of their lives, that their religion is not the only religion in the world? There are people who believe other things.

There is a priest somewhere down in the Ottawa Valley who is a grandson of my grandfather's brother. I do not suppose he would agree with me. However, the Roman Catholic religion is not the only religion in the world. We

have all kinds; hundreds and hundreds of religions.

"Teach people," my father used to say, when someone would come to preach back in the bush. He used to say, whether they were Anglicans, priests, members of the Salvation Army, or whatever, "You had better go and hear them, because you might learn something."

Half the world does not listen to what the other fellow thinks, or wants. If there were woods here, and a god 100 yards over there, and 1,000 people starting out to find him, some people would travel for 100 years before they could get to the other side of those woods. Perhaps two out of those 1,000 people would go through the woods to where the god was. The rest of them would travel and travel. We are all going to the one spot. In what way does it matter which way we travel?

We are kind of stupid. We fight a lot about unnecessary things. I think we should teach a course in all different religions, within the framework of the public school system. You could also teach languages within the framework of the public school system. It would not cost any more to do that than to have one, and teach it in two different, publicly funded school systems. I think it is idiotic. In fact, I have a word for it; it is idiocrisy. That is a compound, combining idiocy and hypocrisy. Would you like some more?

Mr. Chairman: I have never seen him so animated. Go ahead.

Mr. G. I. Miller: I appreciate your views. I suppose we all have to have some faith. Perhaps that is what a lot of people are saying, regardless of the religion. I do not have to be a Catholic, and I happen to be a Presbyterian, to respect that faith. It does not bother me, as a Canadian, that we have two systems at the present time. This is what I am saying. The system has existed since we set up this great country of ours, and it has been working well.

3:50 p.m.

Mrs. Barber: However, this is 1985. This is no longer 1867. There were a lot of people back then who did not want that separate school set up. Tom McCarry came down here from up in the Ottawa Valley area, and my father told me a story about him. It would make a horse laugh. But anyway I am not going to tell you now.

The point is he betrayed both his Roman Catholic and his Protestant friends when he came down here and put through that Roman Catholic separate school funding. He betrayed both, because my father happened to be one of the men

who drove Tom McCarry around by horse and buggy while he did his politicking.

So I know first hand all about him and how good he was. I know he spent something like 20 years down here, shooting the baloney after he got here. He got back in the second time because no good Roman Catholic would dare say no, because the priest stood up in the pulpit and said, "If you dare to vote against Tom McCarry, you are excommunicated." I know that first hand too from one of my Roman Catholic relatives. So please, we have a good country. Let us get together and be one people instead of split. We are stupid.

Mr. G. I. Miller: I give up.

Mr. Chairman: You give up, Mr. Miller?

Mr. Allen: I do not want to send Mrs. Barber away more upset than she already is, and I do agree with some of the things she said; namely, the entire question of looking at the whole nationwide educational system and trying to do a little more integrating and establishing common standards and what have you. It would make a great deal of sense.

But at the risk, as I suggest, of sending you home a little more upset than you were, you gave some Alberta costs for education per year. I just thought you might be interested to know that in Ontario the general legislative grants amount to something like \$3.3 billion a year, and the total cost in the province as a whole for all education probably runs to something like \$8 billion.

Mrs. Barber: That is now?

Mr. Allen: That is now.

Mrs. Barber: I was talking about the 1967 census for—

Mr. Allen: For Alberta.

Mrs. Barber: Yes, I took it from the prospectus for 1967. I looked in the census for that.

Mr. Chairman: Again, thank you very much for gracing us with your presence today. It was a lot of fun and I am glad you expressed yourself.

Our next presenters are the Niagara South Headmasters' Association. We have a little bit of technical setting up here to do, but why do you not come up and arrange yourself, and the clerk will set up the overhead projector.

People in the audience who would like to be able to see the audiovisuals might want to move at this time rather than crossing in front of the overhead. One of the committee members was just saying it has been a while since we have had any overheads. We thought this was just part of the teaching profession, or was attached to your

personae and so we are glad to have it back again to see this approach to educating us all has not been dropped.

NIAGARA SOUTH HEADMASTERS' ASSOCIATION

Mr. Chairman: Perhaps we could have you introduce yourselves for the purpose of Hansard as to who is speaking at various times.

Mr. Durst: Thank you. I am Bert Durst, chairman of the Niagara South Headmasters' Association. To my right, your left as a committee, is Mr. B. Baty, the vice-chairman; and members of that group to your right and my left are: Mr. D. Bracken, Ms. C. Dillon and Mr. E. Minchin.

We appreciate the opportunity to make this presentation to you. When we became aware that we had the 4 p.m. time slot, we anticipated that possibly we would have the same situation as a teacher who has period nine at the end of the day. However, the previous presentation brought us to life. At the same time, we anticipate that we may do something a little different today.

The focus of our presentation will be on the implementation process of Bill 30. We believe our experience as headmasters, with declining enrolment and program planning, including in particular the new Ontario Schools, Intermediate and Senior Divisions' student guidance information systems regulation, has allowed us to evolve a local model that we believe is worthy of consideration at the provincial level. Accordingly, our presentation will focus on our situation in education, the program planning systems we utilize, and their application.

Given the time that you, as a committee, have been hearing submissions, we hope that this presentation is a bit of a change of pace. Your attention is directed to the projector screen now, as we proceed with our presentation.

The first projection indicates simply that we come from a part of the province that is the Niagara region. We are the other side of the Golden Horseshoe and we represent the Niagara South area, which is that area outlined in red on the second projection.

You may recall that in the creation of the region of Niagara in 1969, we were given two educational jurisdictions which are now Lincoln county public and Niagara South public, unlike subsequent regions in which the educational jurisdiction matched the regional entity.

If we can go to the third projection: We serve approximately a 400-square-mile area, and you can see the municipalities which make up

Niagara South. It is a mix of urban, suburban and rural areas. To the west, Wainfleet is a rural area, Pelham is to the north and in the centre is a suburban-rural area, and Niagara Falls, Welland and Port Colborne are urban areas.

Within that municipal context, for the purpose of planning, we divide our educational jurisdiction into three or four major planning units. You will notice we have eliminated the boundaries. For the purpose of planning for delivery of the program, we include three areas, as identified.

They are a mix of urban and rural in each and every case. They also include single-school communities. Thorold has one public secondary school and it is included in the planning area with Niagara Falls, which contains five. Pelham, which also contains one public secondary school, is with Wainfleet and Welland—part of that planning unit.

4 p.m.

To give you some idea of our configuration, Niagara South contains 16 secondary schools. You are probably aware that the average population size of a secondary school in this province is 897. If we look at that average, we will note that 12 of our schools are smaller than the provincial average. Four of our schools are in single-school municipalities and two of those four schools are below the provincial average.

What we have tried to illustrate for you is the bus of secondary education going down the road to the future. It is the 897 bus—the average school size. In the next few minutes, we intend to illustrate the way we have taken that declining population down the road. From there, we will show you a model which we would like you, as a committee, to consider with regard to the implementation of the bill.

Mr. Baty will present this Niagara South experience.

Mr. Baty: We are very proud to say that Niagara Falls is a constituent within our region and within the jurisdiction of Niagara South. We have not had the population to support the number of schools that were present when regional boards arrived in 1969—despite it being the honeymoon capital of the world.

Referring to the data on page 5 of our submission, since 1969 to date, we have seen a decline of more than 13,000 students. It has caused the closure of two secondary schools and 38 elementary schools. In the impact statement regarding separate school funding prepared this past year, the projection through to the year 1989 shows the continuation of that decline by 1,537 students.

You may also note that a projected 940 students could be lost by the public system to the separate system under full funding, if duplicate and separate school systems are to be established by Bill 30.

Due to the concern over enrolment decline and the need to provide meaningful quality programs, the Niagara South Board of Education undertook a massive planning exercise during 1981, entitled Future Directions. It is referred to on page 6 of our submission. As a result of that study, with very meaningful input at the community level, the communities felt that at that time they wished to maintain identification with the schools in their areas.

The challenge was set by the Niagara South Board of Education, for the administrators in Niagara South, to provide an alternative to school closure. We are suggesting that alternative, as outlined on pages 8 and 9 of our submission, could form the practical nuts and bolts approach to a unified school board.

In essence, as shown on the overhead that is in front of you now, you will see that we have broken our jurisdiction into four planning units. Two units, with regard in this particular brief, exist along the lakeshore, and include the municipalities of Port Colborne, Fort Erie, Ridgeway and Crystal Beach.

Through this concept, we are saying that no single school—and we believe that could be a public or separate school—can provide the type of program that is envisioned by the OSIS Division guidelines, for the young people of today and tomorrow. It is possible to provide a comprehensive program, through elementary school education and the beginning years of high schools—grades nine and 10.

You are aware that most students entering grade nine have six basic courses that are required by OSIS. The two remaining courses which they take are somewhat directed. They must involve art, business or technology programs. The same is true in grade 10, but with more flexibility.

It is possible to have a school provide the basic requirements of education in Ontario with excellence, in grades nine and 10, no matter what size the school is. We envision difficulty and the need for a shared, common approach in the years of specialization—grades 11 to 13, and eventually the Ontario academic courses.

At this time—as you can see on the overhead projection—the schools have been grouped geographically, to try to enhance the programs available to the students in those municipalities,

without having any single school provide all the programs that are necessary.

I refer you to the next overhead projection and appendix D in our written submission. In Niagara South, despite the geographical spread and the very small sizes of schools—12 of our 16 schools are currently below the provincial average of 897—you will see that we have been able to provide a quality educational program through system specialization. It is shown in the overhead in terms of three various approaches to schooling.

On the left of this overhead, you will notice that it serves the needs of the small secondary school—the schools that are under 897 and could not give a quality educational program on their own. It serves the needs of the single school municipality and of specialized schools.

If I could refer you to appendix D, specifically, in Niagara South, we offer a centre for the arts situated at E. L. Crossley Secondary School in the town of Pelham through this shared planning process. E. L. Crossley Secondary School also has a hearing impaired class, which serves not only the needs of all young people in Niagara South but also under jurisdiction of our neighbouring board in Lincoln county.

There are some specialized programs for students who are not able to have their needs met in the regular system. There is the Niagara Centre for Youth Care, situated in Welland adjacent to Westbrook Secondary School; and a Project Reach program, which basically is for student dropouts who require some form of job and career orientation before going into the world of work or, in many cases, returning to the world of school.

School for Scholars is our means in Niagara South for meeting the needs of the gifted under Bill 82. French language instruction is a shared, involved process, in Confederation secondary school in the city of Welland, between the Niagara South Board of Education and the Lincoln County Board of Education. It also serves the needs of Catholic students. At the current time, Notre Dame high school in Welland and Denis Morris high school in St. Catharines and the school in Niagara Falls do not offer a French-language program. Outdoor education is, again, one of those areas of specialization that no single school could provide. It is provided centrally in our jurisdiction through the St. Johns Outdoor Studies Centre.

Last, vocational education: the needs of those students who have been identified as exceptional for intellectual, social or behavioural needs are

located in three centres: Lord Elgin Vocational School in Niagara Falls; Westbrook Secondary School serving Pelham and Welland; Port Colborne High School and Fort Erie Secondary School serving that end of the lakeshore. That by itself is one means of providing a full quality program to a jurisdiction.

We have taken this one step further in the fact that not only are these central specialized programs available but also there are programs available through planning councils. That has happened because administrators serving the needs of the community have said we must work co-operatively.

Our view is that we have been able to do this, or are well along the road for the next stage of OSIS implementation for grade 11 next year, when the needs of specialization will be met. We believe we can act fully with partners, with separate school colleagues, in providing that same kind of shared facility under a unified school board approach.

Mr. Durst: Turning back to the projection on the screen, this is an attempt to visualize for you what Mr. Baty has just indicated. The red is the small single municipality school; the green represents the small secondary school, in many cases considerably below the provincial average; and the purple represents a special school with certain specialization. This is a model that we find is working to provide universal access to students in a planning unit, or in the system in Niagara South irrespective of their residential location.

The next overhead projection is our suggestion to you as a committee what might well be considered, in a unified board concept, a potential model for the delivery and implementation of Bill 30 at the provincial level, where we would propose that the Roman Catholic separate schools, the public schools and other jurisdictional schools might in the future come under the one umbrella, and by being under that one umbrella create some situations that we think are advantageous.

4:10 p.m.

We would accommodate the particular unique needs. Most important in our minds, we would continue a relationship of co-operation as opposed to what we perceive could become a relationship of competition for student population.

If we can return to our 897 projection, we would solicit you as a committee to give serious consideration to a unified board model, because we believe that as schools become smaller

because of the enrolment decline across much of this province, we shall face a question of their viability as far as programs are concerned. As they become smaller, they become more expensive to operate on a per-pupil basis, and we face the problem of equal opportunity for program delivery.

We believe there has been a co-operative spirit in secondary education in many areas of this province and that it could continue under some unified process. We would solicit you to consider this as a model that might be applied. Thank you for your attention, and we would be most pleased to answer any questions you may have.

Mr. Chairman: Thank you very much for the presentation. It was thought-provoking and, as you said, also slightly off the line of many of the presentations that have come forward, but definitely in tune with some of the questions that Bill 30 provokes. We already have been pretty impressed with some of the other presentations from your region in general, from Lincoln and neighbouring areas, in terms of some of the co-operation that is already working between the various boards at that level.

Any questions about this model that is being suggested; are there any potential difficulties?

Mr. Guindon: This plan has already started?

Mr. Durst: Not in terms of how it might apply to the separate school system and the public system, except for some of the system things Mr. Baty mentioned. We share the delivery of French-language education at the present time among the four school boards in the region—two public and two coterminous separate. As an example, we think that is a way in which, for the future, we possibly could deliver special education in terms of Bill 82 and its implementation. We could deliver some of what will be and will continue to be expensive forms of education; for example, particular technical programs. Rather than duplicating facilities, we could fill facilities and share programming.

Mr. Chairman: We have had a fair amount of discussion about unified boards. The model from Nipissing was one of the first presented. We have had a lot of positive comments from such groups as the Ontario Secondary School Teachers' Federation, and we have had a lot of negative comment from Catholic jurisdictions that, first, do not want it; and second, are concerned about the question of who controls the system if a minority becomes part of a unified board and how decisions are made.

One of the things the committee has been talking about—in fairly vague terms but it has

been talked about more and more consistently lately—has been some kind of joint management committee to facilitate various forms of co-operation, whether they are systems sharing the computers and that kind of thing, or the programmatic types of sharing you are talking about.

Can you see the model you are presenting here as working on that level? In other words, below-the-board structures rather than superimposed on top of those board structures? Or do you see it as having to be a "super board," as it were; a different, large structure that would take away some of the autonomy of the local boards?

Mr. Baty: I believe the answer is yes. It is happening now through omission rather than co-operation. It is happening in the area of special education.

The public school board is the only one in three sites which is offering a full vocational program for identification and placement review committees for exceptional students. It is happening in terms of the hearing-impaired and of French-language instruction because, quite frankly, the separate school board in our area has not been able to provide the funds for that section of its clientele.

It is our belief that if both systems are going to get quality education, then whether by the superstructure or the substructure it will be by some process of co-operative sharing. Working together is the only way in which the entire public educational system will serve the needs of young people. It cannot possibly proceed on the basis of two duplicate, separate systems. The student clientele is not there to support it, and our belief is that there will not likely be the tax revenues forthcoming to support it.

Mr. Chairman: Is there general accord on that? Perhaps we have a political difficulty with the idea of a superimposed board because of the response and the constitutional challenge. That is why we are looking at the other options.

Mr. Minchin: Even aside from those highly specialized areas, just talking about general education and technical and commercial education, in our community we often find we are handling students from neighbouring separate schools who have been referred to us by their principals. They just do not have the programs to offer them. It is almost, as Mr. Baty said, by omission that we are now doing it.

We feel we could do it on a regular ongoing basis by just having an umbrella board or whatever you want to call it. We could do it very well and meet the needs, in particular of the

Roman Catholic population. I am a practising Roman Catholic, and 40 per cent of the Ontario Secondary School Teachers' Federation are Roman Catholic, so the fear of the separate school system does not seem to be totally justified in that area.

Mr. Durst: Just as a corollary to that, the concern I would like to point out is that there are only so many clients, particularly when one deals with the rural and smaller urban areas of this province, which are a considerable portion of the province.

To be efficient with the dollars that are raised publicly, one has to look at what the demand is for special programming and to some means of providing that co-operatively. I do not believe it would require another superstructure of a governmental agency. It could be achieved through the concept you have alluded to of some management team within the existing hierarchy of board structures.

Mr. Chairman: What are some of the practical consequences of the kind of specialized schools you have developed with regard to transportation; the one school that deals with German, for instance? Given that you are not by any means one of the largest geographical boards in the province—Mr. Bernier has more of that in his area in the northwest than would apply to your area—it still must provide some pretty complicated kinds of scenarios around travel time.

Mr. Minchin: Having been shown the option of closing secondary schools, which caused tremendous public uproar—that was going to be sure death, so we took the plague—we went back to the drawing boards and drew up a system. In the Welland community, we have three secondary schools. One of them offers grade 13 art, one offers grade 13 economics and the other offers grade 13 French.

Because we were forced to do it, we looked at the transportation system. By giving the students a bus pass on the city bus system we were able to provide those students with courses which they had never had access before. They are quite willing to take them. They do not have to leave their home school, but they have been able to pick up courses which were never in their aegis before.

By tying in the separate school system, we could also work with it to provide its students with opportunities which they have not had. Our students, in turn, would have opportunities in the separate system which we have not had before. We were able to do it in our small community by looking at the public bus system. By making a

phone call and asking if it was possible to run a bus at a particular time we were able to solve a major problem which we had not looked at before.

Mr. Bracken: Mr. Minchin has referred to Welland. In a slightly larger planning unit, the city of Niagara Falls and Thorold, referring to languages and the specialized schools, the school I am in has had to use school buses. Compared to the closure of a school, the busing factor does not create that much of an emotional thing within the planning unit; and when one thinks about costs it does not create that big a problem.

Mr. Chairman: How about scheduling? Looking at the Thorold area especially, it is a pretty fair distance. Does that mean you would keep a home school, something that would be attractive to the Catholic system as well, maintaining that home school idea? Then you would go to Thorold for certain language classes or to whichever school it may be. How does it work exactly?

4:20 p.m.

Mr. Minchin: If I could answer that: it forced the four secondary schools in our community, including E. L. Crossley in Fonthill approximately 15 miles away, to go to a common timetable; but that was the lesser of two evils. We have a 20-minute break in between. Students have access between period 1 and period 2 to whatever course they want to take, without the trauma that seems to occur when they leave their home community school. We have satisfied the communities and parents, and also provided opportunities for our students that they did not have before.

We have one common timetable and a common lunch period based on the transportation time. Amazingly, the students have accepted this model, which we feel could continue with a broader base.

Mr. Durst: We do have students in the Niagara Falls-Thorold planning unit who do relocate in grade 11 to a specialized school. The trauma is not as great as senior students might perceive it. After all, in two years in many cases they will move across this province for their tertiary education.

Regarding your question on transportation, in many rural or semi-rural areas a network of transportation already exists because the students are being moved to the present educational sites. In many cases it is a matter of realigning that network to serve the students' interests and needs, rather than adding to it.

I have never been convinced the ultimate level of efficiency has been reached in how we move the yellow buses in this province. We can always find ways to get more people to more sites more often, with the same equipment at the same cost.

Mr. Chairman: My father was telling me 10 school buses go down his line every morning now. It seems incredible. There used to be one when I was a kid.

There was another question not opened by the members. Nobody has raised his hand. If that is the case, the committee chairman just barges ahead. That is the rule we operate by around here.

You said you had students who actually would change for grades 11 and 12 and have OSIS and the shortened grade 13. Given that we are now extending this to the Catholic system for grades 11 and 12, because that is a desire of theirs, and that we have a committee which is making that continuity possible, such as for a language like German, let us say that student has to transfer to a public school: how would you see an accommodation for a Catholic component taking place if they had to move an entire school into a different location? Can that be handled programatically, or is so insurmountable it will just have to be dropped?

Mr. Durst: I can only react personally. I have no answer to that now, but my reaction is that it is something we should work on locally. I was thinking also of the antithesis. What if the Roman Catholic secondary school offered German? Would it not necessarily follow that it should be equally accessible to the student who transfers from the public secondary school?

Mr. Chairman: There the nonparticipation in a religious course is something easily handled, even in Bill 30 at the moment; but the other way of providing for something which is not there at the moment and is not really allowed for a great deal in the public system may be more problematical at this point.

In an area such as your own I can see how that would work; in other areas I am afraid there is less co-operation. It might have to be mandated in the legislation; or require some sort of major incentive program to the boards to make that happen, at least financially.

Are there concerns that members would like to raise?

Mr. Allen: I am still trying to get the administrative structure clear in my mind. Do I sense from your responses to the chairman that you really do not have a fixed and determined way of delivering this model regarding gover-

nance, but that you are open to a variety of options for delivering some or all specialized services at the senior level? You are not proposing that individual boards of education under separate, public and other categories have governance only up to grade 10?

Mr. Durst: No. In fact, if we can use again our local experience in two different planning areas that have been alluded to here, Welland-Pelham and Niagara Falls-Thorold, the delivery system is different. We would think the model we are referring to might then have to be flexible, because there are unique situations probably wherever you go. We are not implying that it would be a segregated governance situation to the end of grade 10 in that diagram you are looking at.

Mr. Allen: You are not implying that it would be segregated below?

Mr. Durst: No.

Mr. Allen: You are implying that it would be unified throughout, in other words?

Mr. Durst: Yes. For the purpose of governance, but—

Mr. Allen: So you are not proposing a model such as Nipissing proposed, where there is a council of education, let us say, that would be concerned about specialized features, and then the separate board structures under that in a federated kind of system.

Mr. Durst: I think our view is that the existing structure should be utilized first in an attempt to do the co-operative specialization of programs. It would seem to me that only if, for whatever reasons, they were not able to deal with a situation, would you then look to additional structure.

Mr. Allen: I am not sure what you mean when you have your streams, separate, public and other. If it is a unified board, then what really is separate, what is public and what is other any more?

Mr. Durst: I think what we are referring to is just that since the program for students in terms of OSIS is more or less the same up to the end of the intermediate division those could be rather distinct streams. Where the co-operative delivery would have to occur is in the senior division because of the numerical realities in many cases. It would be at that level that co-operative planning and co-operative delivery would be structured.

Visually, we are seeing that there would be pretty much the current kind of system in place, but specialized and particular programs regional-

ly should be delivered co-operatively rather than competitively.

Mr. Allen: So your unified structure has to do with the delivery of the specialized services, but not with regard to the rest of the system?

Mr. Durst: That is right.

Mr. Chairman: In most areas, although obviously in some less densely populated areas you might have to do it for mainstream; yes?

Mr. Minchin: For possible clarification, in the normal board structures we see it might be based on ratepayers. If there are so many separate school ratepayers they might elect five. The public community might elect six, and possibly the Dutch Reform might elect two if they chose to opt into the system. That then would be the board of education which ran the system, not superimposed but the regular board as we know it now.

Mr. Allen: In the operation of offering specialized services that would not then include all of the courses in which any given student is registered. Those other courses would be under the jurisdiction, presumably, of the separate structures?

Mr. Durst: For example, back to the question of religious instruction, that would then continue in the senior division of the separate school system to be their mandate.

Mr. Allen: And that would be the vehicle of delivering all the rest of the religious ambience, presumably, for the students.

Mr. Durst: Yes.

Mr. Allen: In your planning areas, do you attempt to structure your delivery of specialized services in such a way that you get as many of each of these within each planning unit so that you minimize travel needs? Obviously, some schools are going to be so specialized, such as Centre Des Art, for example, that presumably there would be only one in the whole board area. Do you then try to position that school in such a way that it is equidistant from as many points in the board jurisdiction as possible? Is that the kind of consideration that operates in terms of—
4:30 p.m.

Mr. Durst: Yes, that is correct. It would be the consideration of geography, in essence, and I would say the consideration of facility plant. It may be desirable to have technical education at the most central school; but if it does not now have that facility, then you have to look at which location has it.

We have worked from existing facility realities as well, particularly the specialized ones, and

have tried to avoid the costs of moving facilities such as technical shops wherever possible. We have tried to move the students to the facility wherever possible.

Ms. Dillon: For example, my school in Niagara Falls is a technical school. It will be very specialized within the next few years, we will have technical as well as commercial. That is the direction we are going with the specialization. That is not occurring in the Welland planning unit, so there is a difference.

In Niagara Falls we have been able to transport the students without any problem.

Mr. Bracken: Another example is vocational. Each of those planning units has a vocational unit within it. When Mr. Durst talks about the plant situation and the geography, what we have attempted to do in each of those regions is to have the facility available.

Mr. Allen: How do your boundaries coincide with those of the coterminous board?

Mr. Durst: I am not too sure of your question. They are identical. Welland county separate school board is identical with Niagara south. We are the former Welland county area in public jurisdiction.

Ms. Dillon: However, Lincoln county overlaps in the separate school board. Lincoln county takes students from the Welland separate system. The students are allowed, say, in the Thorold area, to go to St. Catharines. That is not allowed in the public school system.

Mr. Allen: I was at a conference at St. Ann's parish in Niagara Falls on the weekend. I heard the Welland separate board of education director come to speak about this whole issue to the assembled men of the Catholic diocese. I was quite interested to see the picture of a co-operative future in education he presented. Perhaps you may have an option for moving ahead with this model in that area.

Mr. Chairman: Thank you all very much for coming and sharing a positive outlook on what can be done. We appreciate it very much.

Members have had distributed the latest summary of recommendations. This is the last one you will get until we have completed the presentations. You will see it has been very helpful for us, when and if we ever get to clause-by-clause consideration, because it has been broken down into some of the more significant clauses as well as the groups and the areas of concern.

Mr. G. I. Miller: How many presentations are yet to be heard?

Mr. Chairman: There are a number left and a few we have had difficulty contacting. We will be holding a steering committee meeting probably next Tuesday in my office. We will not be having a regular hearing that day. The following week we do not sit at all. We will meet as a steering committee on Tuesday after orders of the day, and we will send a notice to members to talk

about how many groups are left, when we will do clause-by-clause consideration, etc.

We have one person scheduled for Tuesday whom we are trying to move to Monday or Wednesday.

The committee recessed at 4:35 p.m.

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From the Ontario Secondary School Teachers' Federation, District 19, Quinte (Hastings and Prince Edward County Divisions):

Meehan, G., Past Provincial Councillor
 Werkhoven, M., Past President
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No. S-78

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, October 30, 1985
Evening Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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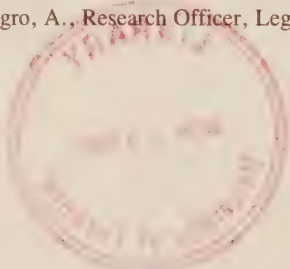
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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, October 30, 1985

The committee resumed at 8 p.m. in committee room 1.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

The Acting Chairman (Mr. Reville): Members of the committee, the first submission this evening, right on time at 8 p.m., is the Canadian Abortion Rights Action League with Caroline Lindberg. Would you come forward, please, and make yourself comfortable. If you want to bring your colleague with you, you are welcome to do so. I would ask you to introduce her for the benefit of members of the committee and for Hansard. You will have to do this sitting down so your words are recorded electronically.

CANADIAN ABORTION RIGHTS ACTION LEAGUE

Ms. Lindberg: Thank you. Norma Scarborough sends her apologies for being unable to attend this evening. I am Caroline Lindberg, the national co-ordinator of CARAL. I will be presenting the brief in her stead. Beside me is Karen Moncur. She is a member of the board of CARAL.

The Canadian Abortion Rights Action League is the only national pro-choice organization in Canada. Since its inception in 1974, it has been working to realize freedom of choice on abortion and equal access to safe legal abortions in this country. CARAL's work in public education and political lobbying is supported financially by almost 13,000 individual members and 93 member and endorsing groups across Canada. It is represented provincially by 18 chapters.

CARAL is concerned that extension of funding to separate schools would result in public funds intended for education being used to promote political activities, specifically anti-abortion activities. The question of hiring practices and the rights of employees to their personal beliefs should also be addressed by the government of this province if it plans to extend or even continue funding to separate schools. CARAL is also concerned that in the area of sexuality and fertility control students will be subjected to a

curriculum limited by Roman Catholic teachings.

The leaders of the Roman Catholic Church in Canada teach their followers that abortion is wrong under any circumstances. The self-styled pro-life movement in Canada is comprised of individuals who not only reject abortion as morally wrong but seek to curtail the choices of others in this regard. Many adherents of the anti-abortion movement are Roman Catholics and support for the movement often comes from the Roman Catholic Church network, including the separate school system in Ontario.

While CARAL disagrees vehemently with the anti-choice cause, we do not oppose the right of any person to articulate and promote his or her views peacefully. We do, however, oppose the use of publicly funded educational institutions to advocate the legislation of a particular religious morality. This is how the separate school system has been used in relation to the abortion debate. Separate school buses have been used to transport demonstrators to anti-choice rallies, including the rally held on September 21, 1985, here at Queen's Park.

Flyers for such rallies have been distributed within the schools. Demonstrations outside the Morgentaler clinic have been publicized in the schools. Postcards have also been given to students who were expected to take them home, have them signed by adults and return them to the school for mailing to the Prime Minister as part of an anti-choice campaign.

These uses of the separate schools as an aid to anti-choice lobbying are unconscionable. Funding such schools undoubtedly amounts to funding attempts to limit the rights and freedoms of individuals in a pluralistic society by the imposition of official Catholic teachings on all of us; that is, funding such schools without restrictions on activities in these areas.

At least some school boards in Ontario have contended that they have the right to discriminate on religious grounds in hiring teaching and nonteaching staff. Spokespersons for separate school boards have argued that they should be entitled to refuse employment to individuals whose conduct is contrary to the teachings of Catholicism. The Canadian Abortion Rights Action League is concerned that individuals may

have employment denied or terminated because they believe women should have access to safe, legal abortion.

That pro-choice convictions should disqualify any person from employment in a publicly funded institution is unacceptable. There ought also to be some assurance that no female employees will be discriminated against by separate school boards for having sought and obtained abortions. Canadian law recognizes the need for abortion and provides for it under specified circumstances. No woman should have to fear that the exercise of her legal right to an abortion could jeopardize her employment.

The Roman Catholic Church teaches that sexual activity is legitimized only within the context of a marital relationship and when procreation may result. Not only abortion but also all methods of birth control other than periodic abstinence are proscribed. CARAL believes the church has the right to try to persuade its adherents to follow its teachings. We also believe that students in a publicly funded institution have the right to receive the best education available. This means complete information about contraceptive options, each individual's responsibility for his or her sexuality and accurate information about abortion.

CARAL would therefore make the following recommendations in the event of continuation or extension of funding to separate schools: First, that separate schools be required to refrain from using their resources for or involving their students in anti-choice political activities; second, that in hiring and employment practices, discrimination on the basis of personal beliefs about abortion be prohibited; third, that sex education and family life programs in the separate schools be accurate, unbiased and comprehensive in their treatment of contraception and abortion.

The Acting Chairman: You may be aware that in many of the discussions before the committee during these hearings, the example you cite has been posed, particularly to Roman Catholic boards as to what they would do if a transferring teacher took part in a pro-choice rally, and there has been a variety of answers. The concern you raise is one that the committee has dealt with on a number of occasions.

Mr. Guindon: At the bottom of page 3 you mention, "No woman should have to fear that the exercise of her legal right to an abortion could jeopardize her employment." Could you elaborate on that?

Ms. Lindberg: What we mean by that statement is that although the Catholic Church teaches that abortion is wrong, we feel that, given that Canadian law recognizes it is a legitimate procedure in certain circumstances, a woman who is employed in the Catholic school system should not have to fear that exercising that legal right would lead to termination of her employment or that she would be discriminated against on that basis.

Mr. Guindon: Are you specifically speaking about school teachers?

Ms. Lindberg: We would take that position in relation to any employee of the separate school board, be it a teacher or nonteaching staff.

Mr. Guindon: That is all for now.

8:10 p.m.

Mr. Allen: With respect to nonteaching employees in the Catholic system in the country, were you aware there have been court decisions that have made it clear that unless an employee has persistent and habitual contact with the students in the system, the moral prescriptions and the religious requirements it might otherwise be expected that a teacher would respect, are not necessarily required of those employees and they cannot be used in any selectivity in hiring, promotion and similar kinds of considerations?

That does not affect your argument with respect to the teaching community, but it does at least indicate a different position than perhaps has at some points in the past prevailed with respect to the nonteaching employees.

Ms. Lindberg: I am not altogether familiar with the specific cases you are speaking about. I know I have seen materials that had been prepared by a separate school board in 1981 in which it had maintained a right to discriminate as far down as the janitorial staff. I was also aware of representations made by clerical staff regarding discrimination in that area. I realize that certainly in some separate school boards there may not have been problems of this nature with the nonteaching staff.

Mr. Allen: In regard to the issue itself in the classroom, we have also had some rather interesting testimony. The situation across the province, school to school, is obviously very different in the way in which the subject of sexuality and all the related issues are taught.

We have had some fairly extensive conversations, for example, with children in some of the man and society classes that deal with controversial issues and so on. Some of them have been quite persuasive about the way in which teachers

have not tried to lay a foreordained conclusion on them. They have felt they have been asked to work through issues on their own and come to their own conclusions. I would not want to say this is the practice in every such class, but it does appear to exist in some places within the separate system and it sounds to me like a mature way of approaching the subject for those children.

I am offering you only signs of hope, perhaps, but they are at least that from your perspective.

The Acting Chairman: Everybody is grateful for a sign of hope, wherever it may be found.

Mr. Davis: Since I used to deal in hope, I thought I might say a few words.

The Acting Chairman: And charity as well.

Mr. Davis: No, I lost that when I became a politician.

First, we have addressed the issue of a teacher who moves across in respect to being a person who is pro-abortion. It is a split decision, but in many cases we found that the Catholic community said this would not be a kind of thing for which they would not hire the person, provided he did not advocate it as a particular belief system in the teaching of the school. I think that is fair. In the same way, for example, I would not expect the public boards of education to offer any teacher the opportunity to expound upon a political ideology or a philosophy that might not necessarily meet the demands of the local community.

I am convinced from the majority of those delegations that have been before us that the Catholic community is quite prepared to take someone who has either had an abortion or believes abortion is the right of a woman, provided he does not expound that as a doctrine within the classroom; but, as I understood it during the discussion, he is certainly within his right to announce his own position. In fact, the chairman of this committee, the member for Scarborough West (Mr. R. F. Johnston), is continually invited within the Catholic jurisdictions of his riding to talk about abortion issues. I think that augurs a sense of hope and the right of a student to make that decision.

As you and I know, the students, no matter what the teaching is at home, what the teaching of the church is or what the teaching of the school is, will make their own decisions based on all the criteria they take into their consciousness to make that decision.

I would like you to carry back a message to Ms. Scarborough for me. Tell her I was here, I missed her presence and that she owes us a box of doughnuts. She will understand the meaning of that message.

Ms. Lindberg: I will convey that to her.

Mr. Guindon: It will cost her more than a dollar. She will have to pay tax on that.

The Acting Chairman: I am concerned that 50 years from now a graduate student going through the Hansard may not understand the reference. However, maybe there will be some corollary document somewhere else that will explain the wonderful mystery.

Mr. Davis: I was on the Scarborough Board of Education. Ms. Scarborough and I sat on the committee for affirmative action and it was the definition of the officer that the board was prepared to put in place with respect to the affirmative action program. Ultimately that designation was a person whom we designated as responsible for the continuing education of women in men's affairs. That way we avoided some great controversy which would have occurred. Ms. Scarborough will remember those debates.

The Acting Chairman: And the prize was a box of doughnuts?

Mr. Davis: Yes, the prize was a box of doughnuts. The peace offering was a box of doughnuts.

The Acting Chairman: I understand. That clears up that mystery. I am relieved.

Thank you for coming before us. We appreciate it. Did you want to say something in conclusion?

Ms. Lindberg: No, I am pleased to have been able to make this presentation to you.

The Acting Chairman: Next is exhibit 851. Mr. Ogle, would you like to sit down at the table in front of us here, in whichever chair you choose. You can either read your brief or you can speak extemporaneously, whichever you prefer.

MR. T. OGLE

Mr. Ogle: I will just read the brief.

I have always voted Progressive Conservative provincially, but I refuse to vote for any of the three main-line political parties since the parties are, figuratively speaking, all in bed together with regard to separate school funding.

How can Ontario's Premier (Mr. Peterson) impose restrictions on South African wine in protest of apartheid when Ontario practises its own brand of discrimination? Parents sending their children to a private secular school, a Jewish school or a Dutch Reform school must pay for the public and the separate school systems through their taxes as well as pay for

their children's tuition fees. The government should be ashamed.

Furthermore, why must I, a public school supporter, have to fund a religious institution that I may not agree with? My rights of equality as delineated in the Constitution do not seem to matter regarding this issue.

I believe, as many of you do, that our forefathers erred regarding separate school funding. The public school should have been the only publicly funded school. Accommodation for religious instruction by ministers, priests, rabbis or other religious leaders could have been provided for children at the schools after school hours. Otherwise, those parents who were adamant about religious schools for their children should have had to pay for their education from their own pockets.

The present structure clearly discriminates against nonseparate-school supporters. If the government is going to fund Roman Catholic schools, then the government should automatically provide equal funding for all private schools as soon as possible. In lieu of this, the government should provide public school supporters with a tax rebate for moneys taken from provincial tax revenue coffers used to fund separate schools in the past. This is unrealistic but it is my solution.

8:20 p.m.

The Acting Chairman: It is always a pleasure for us to have individuals come before the committee. As you may understand, a great many professional lobby groups have appeared before the committee. It is also good to have individuals come and share their views with us.

Mr. Allen: I am not sure whether the last proposition would go anywhere either, but there are some questions I would like to ask.

Quite frequently, we have people before us who draw the comparison between what is happening in schooling in Ontario on the one hand, especially in relationship to this bill, and apartheid in South Africa. I keep thinking about it, but for the life of me, I cannot see the comparison.

On the one hand you have a forcible suppression of a minority in absolutely every single respect in South Africa. In Canada, you have a response historically to a very significant minority in an attempt to accommodate its needs and concerns and interests for education. What we are doing in this bill is attempting to expand upon those minority rights and to give a full and free place in our society to those people who wish that

form of education. To me, the two ideas go in quite opposite directions.

On the question of the rights of other groups, there is obviously a very significant question that has to be answered and people do have to put it to us the way you have. We are going to make some kind of response. However, do you recognize a difference between what has developed historically between the separate system and the other private schools?

The Catholic community has accepted a whole series of public accountability structures ranging all the way from governance by elected school boards to acceptance of the guidelines of the Ministry of Education, requiring certified teachers and membership in teachers' professional organizations. By contrast, most of the private schools are not prepared to accept that whole range of public accountability mechanisms.

Is there not a significant difference there? Is that not where the problem has to be worked out, rather than simply saying, "Well, the separate school has it; others do not," and therefore jumping to the conclusion that it is discriminatory?

Mr. Ogle: Yes, I can agree with the point you made there. If they are not willing to go along with guidelines the ministry sets down, then they should not be entitled to funding.

With regard to the apartheid comparison, it is a bit of an exaggeration, to say the least, but I just had to make my point; that was all.

The Acting Chairman: You are speaking to a group of people who have been known on occasion to exaggerate a little, so you are in good company.

Interjections.

The Acting Chairman: Not the member for Scarborough Centre (Mr. Davis), of course.

Mr. Allen: You are not alone in this room.

The Acting Chairman: No. Are there any other questions from members of the committee?

You made your points clearly. Thank you for joining us.

Members of the committee, we have an unusual situation in that we do not have a presenter. I am sorry to be wasting your time, because there is going to be some dead air here. Let us take a break.

The committee recessed at 8:24 p.m.

8:36 p.m.

The Acting Chairman: Would you please come forward to the table directly opposite me and sit down? We have your brief, which is exhibit 852. You can take us through it, if you

wish, or deal with it in whatever way you think is most appropriate.

Mrs. Ronson: I intended to read it.

The Acting Chairman: That is fine.

BARBARA G. RONSON

Mrs. Ronson: Having watched some of your sessions on television, I applaud your decision to hear all submissions despite much repetitiveness of content. I do not presume my submission is unique and therefore will try to keep it brief, and I hope the point of view I represent will be strengthened by one more voice.

I present my argument in favour of equal student access to both separate and public high schools, should new legislation fully fund the separate system, on two bases: (1) my interpretation of what is fair, given our country's Constitution and Charter of Rights and Freedoms and (2) what I believe would do most to improve the quality of education in this province.

I do not wish to enter into a full-fledged debate as to whether full funding was guaranteed by the Constitution or whether it now violates the Charter of Rights and Freedoms. I do, however, wish to emphasize what I consider to be the primary intent of the legislators who drafted the Constitution and the Charter of Rights: the intent to ensure that no single religion is officially discriminated against or allowed to hold an officially dominant position in Canada.

This is expressed in subsection 93(1) of the British North America Act: "Nothing in any provincial education] law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union."

As you know, the Roman Catholics did not have the only denominational school system in the province at the time of union. In fact, the majority system was run by Protestants. In order to accommodate Ontario's growing number of non-Christians, the Protestant system opened its doors, allowed individuals to opt out of religious instruction and later abandoned religious instruction, prayers and any official mention of deities altogether.

It was right and just that the majority school system accommodate non-Protestants into our province in this way, and it was either considerate or an oversight, depending on your perspective, not to impose similar measures on the separate elementary system run by Roman Catholics, despite the fact that imposing such measures on one denominational school system

alone is clearly prejudicial and violates the clause I previously read from the BNA Act, among others.

As our province prepares to fully fund a separate high school system, it can no longer tolerate or perpetuate the inequities that have thus arisen through our history. It is enough that the separate system should retain the right to teach Roman Catholicism and discriminately hire Catholics. If we are going to fully fund a separate high school system, it is essential that we have fully open admission policies in both systems.

Also, it is important, though perhaps negotiable, that the right to opt out of religious instruction be retained. In essence, it is wrong to totally dismantle one denominational school system and then to surreptitiously strengthen another. This injustice strikes at the heart of many who worked so hard to establish a system of tolerance and nondiscrimination in this country. Protestants who sacrificed their right to their own religious school system for this cause have reason to feel that their efforts have been unappreciated and exploited when one single denominational system is strengthened.

8:40 p.m.

The argument that equal access, together with the option to avoid religious instruction, would substantially modify or destroy the constitutionally protected Roman Catholic school system holds little weight when one considers the extent to which the Protestant system has been destroyed.

Furthermore, if the equal access and religious instruction options are applied only at the high school level, and the separate system retains the privilege to have trustees elected by Catholics alone and the privilege to hire Catholics and teach religion as they choose, the threat appears minimal. The resulting degree of modification would be one that many Catholics would tolerate just as Protestants did. Most Catholics will continue to opt for the separate system, and others will ordinarily choose the public system.

The response I had after asking some practising Catholics who are also teachers their opinion of my point of view is significant here. They found my argument for equal student access reasonable. They knew the quality of education was more likely to suffer in the public system, because when the separate system is not up to par, Catholics send their children to the public school.

They would prefer that non-Catholics participate in religious instruction and ceremonies in the separate schools, but saw it workable for

them to opt out, especially at the high school level. At the least, they hoped the religious practices and teachings would be respected by all the students.

Then, surprisingly to me, they said that they wished this legislation had never come about, that it has done more harm than good for their religion, that they did not ask for it and that even if funding was not provided to the end of high school, it is already provided to a great enough extent to assure a good grounding in Catholicism. The response was clearly an emotional one to bearing the brunt of the resentment the new legislation has unleashed.

The argument that we would not have had a united Canada if those negotiating on behalf of the Catholics had thought they would not be entitled to full high school funding at a future time when the province decided to fund a public high school also falters. It would be equally valid to say we would not have had a united Canada if the legislators had thought they were entrenching the right of only one religious group to a fully funded school system.

Protecting Roman Catholic schools may have made sense at a time when schools were run by religious groups and there was a Protestant majority which could have threatened to dominate. With no such threat to Roman Catholicism today, our laws must be reassessed.

In the light of the present government's determination to extend full funding to the separate system, we must also consider the substantial impact the equal access clause could have on the quality of education in this province in the long term.

Despite any government's best intentions and efforts to legislate equal and fair treatment for both systems, it is impossible to legislate that any two schools will provide an equal quality of education. If for any reason either system is perceived to provide a better school in one area, students and their parents must have the right to choose the one they believe is best. Otherwise, not only will there be much resentment, but also the overall quality of education our students receive will suffer.

It is commonly held that teachers' unions have tied the hands of school administrators concerned with the quality of teaching in our schools. Though unions have ensured a secure working environment and sufficiently attractive salaries to keep good teachers, they have also protected teachers who have lost interest in teaching and should not be there.

Such major problems can only thrive where the school has a monopoly on its students. In extending full funding to separate high schools, we have the opportunity to undercut this devastating monopoly if we guarantee equal access to both systems. Any school which persists in sheltering incompetents will simply not survive until it mends its ways and when all students, rich or poor, Catholic or non-Catholic, have an alternative.

Having worked in a new school with a rapidly growing student population, I know that vitality and optimism can result from such new ventures. I believe you will find this spirit of vitality in new separate high schools where there will be new money to build new classrooms with new facilities, programs, teachers and computers. I also have worked in an environment of declining enrolment and know what bitterness and cynicism can result. The public schools have been going through a depressing phase of declining enrolment for some time. The extension of funding to separate high schools will only aggravate the situation.

It is most important in cases where schools have not dealt adequately with such major problems as bitterness and cynicism, that students should have the right to choose our alternative publicly funded system and thereby not suffer unduly. It is unrealistic to believe that bureaucrats will handle all such problems expeditiously and satisfactorily. When people can vote with their feet, the incentive to rectify the problems will be much more urgent. This reasoning, of course, applies to Catholics as well. If for any reason the public school is perceived to meet their needs better, they should have full rights to attend.

As the legislation now stands, it appears there will be little consistency with regard to access of non-Catholics and exemption from religious education in the separate system. The Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario would do far better to deal with potential problems of crowding, with which our school system has had much experience, than to split hairs over the irresolvable problem of which non-Catholics are entitled to attend Catholic schools, a debate which will undoubtedly boil down to the philosophical positions of the members.

One would think that in reality it is equally difficult to accommodate an additional Catholic as it is a non-Catholic and that it is not fair to reject one and accommodate the next. In any

case, the problem of overcrowding is a small price to pay for the enormous benefits equal access will provide for the quality of education in this province. Indeed, theoretically, the more overcrowding affects quality of education, the more likely students would be to opt for the undercrowded alternative, thus alleviating the situation. Unlike at present, we would find a mechanism for quality control built in.

Surely the primary concern of legislators today must be the quality of education for all citizens, and not the highly debatable extent to which some historical religious privilege was granted. I fundamentally believe that Ontario's unique history provides us today with the possibility of resolving some of the very serious threats to quality in our schools only if equal access is a condition of full funding to both our systems.

In conclusion, the necessity to alter subsections 136o(1) and (2) in Bill 30 regarding access to public and separate schools is paramount. If equal access is not a primary condition for extended funding, as I had understood the present government to support, we stand to have one of the few publicly funded school systems left in the world that has discriminatory admission policies. As millions of dollars are spent and the separate system grows with new vitality while the public system continues to shrink in the years to come, the resentment towards Ontario's exclusive, state-funded religious system and its members will become intolerable.

Thank you for inviting people such as myself.

The Acting Chairman: We are very glad you came. I said to the gentleman who was here just before you that it is particularly refreshing for members of the committee to hear from individuals who have taken the time to put their thoughts before us.

You had some questions on the last page of your brief. You could throw them at us too. You might even get an answer; I do not know.

Mrs. Ronson: Towards the end of the bill, it talks about certain sections being disbanded in 1995. I thought that included the planning and implementation commission and its structure. Will it be disbanded? If so, what recourse will there be to disputes over admission and the option to avoid religious instruction?

The Acting Chairman: Ask all the questions. I have a hunch there is at least one member of the committee who will not be able to resist. I may be wrong.

8:50 p.m.

Mrs. Ronson: How much negotiation took place to draft Bill 30, and with whom?

Would those negotiating for the Catholics have turned down the offer of full high school funding if it were tied to the condition of equal student access to both systems? Or was it the Minister of Education (Mr. Conway) who preferred to restrict access to the separate system?

What specific reasons can be offered to justify those subsections as they now stand?

How much support have you had for equal student access to the separate system on the basis that this would greatly improve the quality of education available as I have outlined? By what groups?

Finally, is there anything to prevent future legislators from imposing such measures at a future time? What would be the greatest obstacle?

Mr. Allen: I want to say I really appreciate this brief because it is one of the few that has focused on a single theme in the bill and pursued it with a sort of relentless logic and laid it all before us. I really appreciate that, because so often these things are mentioned quickly in passing, we get about 15 different issues all raised in the course of six pages and none of it is perhaps very well worked out.

There are a couple of matters I want to comment on before I respond. I want to ask a couple of questions. It is interesting where you talk about the attractiveness of the separate school system because of growing numbers and the new people coming in, the new facilities and so on, and what that will do by drawing students, and the importance of equal access in order to have a sort of free-flowing market to adjust.

We have found across the province that those places where the new schools are going in for the separate system are the same places where new schools are going in for the public system. There tend to be pockets of very high growth areas, and either very plateaued or low-growth or no-growth or declining areas. In all the latter situations there is not much by way of provision of new facilities, either there or much anticipated. So that operation is not likely to be as effective as you imagine.

In my own situation in Hamilton the separate system is massively overcrowded and the public system has lots of space. There is not any movement back from the separate system to the public in numbers that would make you think that adjustment will take place region by region in the province. I suspect those findings really are not going to work the way you anticipate.

Could I ask if you were aware when you were working over your brief that the central assumption of Bill 30 is that, in point of fact, section 93 of the British North America Act does confer rights to a full primary and secondary education under the direction of the separate school system for Catholics? Therefore, the sections in it that were drafted relating to student access were drafted in the light of the constitutional protection that is provided to that system to maintain itself as a Catholic system and not to lay upon it the likelihood that under certain circumstances non-Catholic students would move into it in large numbers and therefore alter the system.

The one follows from the other. Unless the court moves in another direction, it may be very difficult to accommodate your proposal with regard to equal access. That does not mean the logic of your argument is erroneous, and that in all probability there will not be large numbers moving in that direction—principally Catholic students will continue to go, that probably will be the case. But the separate school system would have a pretty strong case in court if the court decision ultimately is that it has a right to the complete separate primary and secondary system.

Mrs. Ronson: I was aware of that section and that they have some rights. I believed there was some argument as to whether that meant high schools or just the common elementary schools. I believe that has been debated.

Mr. Allen: Yes, the Attorney General's office had come to the conclusion, in the light of its investigation of the documentation and so on and the past history of the debate, that this was the sound interpretation and therefore provisions of the bill followed logically. All I am saying to you is that you should recognize that if this is the court decision, then some of the provisions in the bill will have to follow almost logically.

Mrs. Ronson: Is there no merit to the argument of the clause that says we cannot have any laws that would discriminately affect any denominational school system?

Mr. Allen: The argument from the other side, if the chairman will tolerate my response, is it ought to provide public money to a substantial part of the community that wishes a certain kind of schooling, namely single-value-oriented schooling. To deny it on the basis of religion would discriminate under the Charter of Rights.

Mrs. Ronson: It also discriminates to take away the right of the Protestant system to the religion classes that I took right through elemen-

tary school. It took away that right to give religious instruction, and even before that it was an open-door policy. There it discriminately affected the Protestant system; in fact totally destroyed it. Nothing at all has happened concurrently to the Roman Catholics.

Mr. Allen: You would be interested in submissions to the committee which have made that point. Even the directors of boards of education have expressed their concern that this has happened and their desire to see some more systematic academic instruction in religious studies, in the secondary system in particular, to bring the presence of religion back into the school system but on another basis, a different basis in foundation than it was in the past.

Mrs. Ronson: I am more concerned about the access question than the religion one. It is still arguable how much it affects the catholicity of the schools when the separate system can still hire Catholics and teach religion as it chooses. I am even willing to negotiate that it can tell the non-Catholics who attend that they have to take the religious instruction if that is what it wants. It is still Catholic. I am not arguing about that. You can say we have protected its rights to make it Catholic, if the only concession we have is to guarantee equal access for non-Catholics.

Mr. Allen: Is your understanding of equal access that non-Catholics should have access but on the terms of the system; namely that they participate fully in the school?

Mrs. Ronson: Sure.

Mr. Allen: There is no problem?

Mrs. Ronson: There is, because the director of education can say, "I am sorry, we do not have any room for you."

Mr. Allen: The space provision is there. I thought you were referring to the exemption question for religious studies that some people have wanted to eliminate as part of the access question.

We are looking at the space question and trying to see what kind of definition is reasonable there. Are you aware that it exists on the public school side as well?

Mrs. Ronson: It was never used before.

Mr. Allen: It is used quite frequently for movements across jurisdictional boundaries to maintain some handle on the movement of students from system to system. Look at sections 38 through 44 and 45 in the Education Act and you will see how frequently space provisions are mentioned there with respect to movements of students in the public system as well.

Mrs. Ronson: It is normally true, though, that Catholics who opt to go to the public system are not turned down. I do not think anybody has historically been turned down, unless it is the case of a kid who is expelled, nobody wants him and he happens to be Catholic so the public school does not want him.

9 p.m.

Mr. Allen: You will find there is almost no turning down at all in the separate system except in a few instances. For example, the Metropolitan Separate School Board last year had to close access to non-Catholics simply because it had 16,000 students in portables. They have one full school that is only portables and space is just so plugged there is not another place for people to sit. It is that bad.

But as a principle, given the normal space considerations that a system would expect—and my colleagues can correct me if I am wrong—the separate system really has no interest in prohibiting or making it difficult for non-Catholics to attend if they genuinely wish to do so and are prepared to respect that it is a Catholic school.

Over to my colleagues. I am sorry I am monopolizing this.

Mr. Reycraft: Just to reinforce what Mr. Allen has been saying, the answer we have heard time and time again from separate school boards when asked about access is that if financial resources allow them to have the space, then they are prepared to accept students regardless of religious affiliation. The existing practice is really the one you are asking for.

Mrs. Ronson: What about the exemption of religious instruction? How are they reacting?

Mr. Reycraft: Most separate boards expect all students to accept their requirements and to attend religious education classes.

Mr. Guindon: Except?

The Acting Chairman: In other words, that is what the bill says?

Mr. Reycraft: No. The bill provides for exemption in cases where a student attends because of distance, handicap, etc.

Mrs. Ronson: It just seems the sound of the bill made it not welcoming to non-Catholics. If you disagree, you have to go within 15 days to the planning and implementation commission. Only the real fighters go. It is not an open door, but sort of ajar. If you pushed and were determined, then you could go, but it does not feel like a welcome to the public.

I did not know many Catholics when I was growing up. I had this mystical idea of what was going on behind the school with the cross on it.

The Acting Chairman: Did you ever find out?

Mrs. Ronson: I met more Catholics finally, in university and that kind of thing. I can imagine it is maybe not as mysterious as I had once thought.

The Acting Chairman: Mrs. Ronson, I have never seen a piece of legislation which is welcoming. It is not in the nature of legislation to be a cosy, come on in, kind of thing. It is fair to say that the question of access and the corollary question of exemption from religious studies has been constantly before the committee from one side or the other. It is one of the major issues the committee will be wrestling with and has thought and heard a lot about.

To answer your third question, I have heard a lot of arguments saying access will provide that competitive edge you are talking about, but for those who have heard all the submissions—I do not know whether any member of the committee wants to comment on whether it has been raised before—I would say you have a unique angle.

Hearing no further comments or questions from the committee, I thank you for taking the time to present your thoughtful brief.

The committee adjourned at 9:05 p.m.

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Allen, R., Vice-Chairman (Hamilton West NDP)

Davis, W. C. (Scarborough Centre PC)

Guindon, L. B. (Cornwall PC)

Reville, D., Acting Chairman (Riverdale NDP)

Reycraft, D. R. (Middlesex L)

From the Canadian Abortion Rights Action League:

Lindberg, C., National Co-ordinator

Scarborough, N., President

Ogle, T., Private Citizen

Ronson, B., Private Citizen





No. S-79

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Monday, November 4, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Monday, November 4, 1985

The committee met at 3:39 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to Amend the Education Act.

The Acting Chairman (Mr. Reville): Meeting number 61 is now in session and we have before us the York Region Board of Education, exhibit 855. Mrs. Walter, would you like to introduce your delegation and then take us through your brief? Any way you would like to deal with your presentation would suit us.

YORK REGION BOARD OF EDUCATION

Mrs. Walter: Thank you very much. I would like to introduce our delegation. On my right is Earl Rowe, the trustee from Markham and chairman of our commission's committee. On my left is Bob Kressman, our director of education. To Earl's right is Jack Webber, our superintendent of finance; and Ken McDonald, our superintendent of school operations. I am a member of the commission's committee, trustee from Vaughan and chairman of the board.

We appreciate the fact you have already heard numerous submissions. We would love to be able to present an entirely new and unique presentation; unfortunately, we cannot do that. In turn, we hope you will realize the total frustration we feel as a committee in trying to present our board's position after so many have gone before us. We only hope the number of presentations will have some impact.

We thank you for the opportunity to appear before you and relate our concerns about Bill 30. Like many other groups before us, we cannot understand why consultation was not sought from trustees or the public before extension was announced. We are appalled by what appears to us to be a total affront to the traditions of democratic process. There was no consultation, no meaningful debate and input was sought only after the decision had been made.

We will not dwell on these issues; they have been articulated time and time again by hundreds of groups, including lawyers, educators and taxpayers of this province. As trustees in the public system, we cannot help but wonder what a

similar expenditure of time, money and energy could have yielded if it had been directed towards improving the quality of education for every child in Ontario, regardless of his or her religion.

Our perspective on Bill 30 is derived from our responsibilities to the taxpayers who elect us and the children we serve. Like many other boards in Ontario, we are faced with the dilemma of declining financial support from the province and increased program demands as a direct result of provincial legislation and rising parental expectations. To complicate this even further, unlike most other boards we are also experiencing explosive enrolment growth.

I would like to tell you a bit about the York Region Board of Education. York region lies to the north of Metropolitan Toronto and stretches from Steeles Avenue in the south to Lake Simcoe in the north. You can see it covers a large territory. It encompasses Woodbridge and Nobleton to the west, Markham and Stouffville to the east. The southern and central areas are heavily populated urban zones; the remainder of the region is rural, its population widely scattered.

Enrolment has grown from 43,500 students in 1981 to 48,000 in 1985, an increase of 10 per cent. In the urban zone to the south, enrolment has grown 28 per cent in the same period. New school approvals by the province have not kept up with the needs of students. In 1985, we have over 200 portables housing children awaiting proper school space, an increase of 100 per cent since 1981. Enrolment growth is expected to increase steadily over the next 10 years.

We are confident of the high quality of secondary education our system provides to the children of both separate and public school supporters. It would be difficult to determine the exact number of students coming from the separate school system into the higher grades of our secondary schools.

We do know, however, that even in this first year of extended funding, eight per cent of the grade 9 enrolment in our schools are children of separate school electors who have chosen not to enrol at one of the four high schools operated by the separate board. Of the grade 9 enrolment at our specialized vocational high school in Richmond Hill, 28 per cent comes from the separate elementary system. Clearly, Catholic and non-

Catholic students have been and would continue to be well served by the programs provided by this board.

We pride ourselves on the breadth of the programs our board offers, including a major emphasis on special education and core and immersion French. Summer school and continuing education are also offered. To finance these programs, over 70 per cent of the board's revenue is raised from municipal levies. While our expenditures have risen by 62.4 per cent since 1981, provincial grants have increased by 7.4 per cent.

Lack of school accommodation prevents this board from responsibly considering an extension of our elementary programs to include junior kindergarten. If such a need were to be addressed, \$2 million worth of portables would have to be added to already overcrowded school yards or the equivalent of four new schools would need to be built.

The York Region Board of Education believes Bill 30 is not in the best interests of public education in this province. As drafted, the bill teaches all Ontarians that some citizens are more equal than others and should receive better treatment.

The estimated 1985-86 \$80 million cost of extension further burdens a provincial education budget which is already insufficient to meet the legitimate and pressing accommodation needs of York region students, in either the separate or public systems. The bill has no provision to improve the quality of education and further burdens our local property taxpayers, as well as all taxpayers in Ontario.

On more than one occasion, Bill 30 references the fact the extension of funding will promote the best interests of public education. It seems only reasonable this should include the promotion of equality and fairness for all concerned. Certainly all school teachers are required by section 235 of the Education Act to inculcate by precept and example a lengthy list of desired motives that ensure all are treated with respect, equality and fairness.

Surely the very bill that extends funding to the Roman Catholic secondary schools should be required to do the same. In fact, this bill does not promote equality and fairness, but rather it promotes discrimination.

We refer you to subsections 136o(1) and (2). On the surface, it would appear this section treats Catholics and non-Catholics equally. In reality, however, since a Catholic taxpayer may change his tax support to a public school system, he can

circumvent the accommodation requirement. A non-Catholic cannot change his tax support to accomplish the same end.

In York region, this section will force the public school board to deny access to children of separate school supporters to schools such as Markham District High School, Unionville High School and Thornlea Secondary School, since these schools are already overcrowded.

While we do not feel this will be acceptable to the separate school supporters who traditionally have utilized public secondary and separate elementary schools, at least they have the option of changing their tax support. The end result is that Catholic secondary school students have a guaranteed access to either system, while non-Catholics do not.

Subsection 136o(6) indicates that pupils who are not Roman Catholic shall be exempt from religious education for reasons of enrolment, program availability, etc. They may not be exempt for reason of religious belief. The Roman Catholic pupil attending a secondary school operated by a public school board is guaranteed exemption from religious exercises or classes for any reason under subsection 29(8) of regulation 262. Bill 30 teaches our citizens that some have more privileges than others under this bill.

Subsection 136l(8) mandates the public school board in a given area of the province to accept financial responsibility for staff redundancy due to the extension of funding and not suited to or needed by the coterminous separate school board. Where is the fairness in this mandate? Why is the separate board which received the students, thereby creating the redundancies, not fiscally responsible, whether or not it accepts the staff thus displaced?

This section teaches our young people it is not necessary to accept your responsibilities in Ontario, particularly if you can pass them off to someone else. It certainly is not fair to the public school taxpayers to have to fund staff they no longer need for reasons they did not create. It hardly encourages public school board taxpayers to be supportive of any school system and can only be termed detrimental to the interests of education in Ontario.

Other examples, including the matter of property transfer and sick leave credits, could be delineated to further support the position that Bill 30 does not promote the best interests of education in Ontario. Further elaboration, however, is not necessary; the point has been made. Bill 30 is a poor example of how people should be treated. It does not promote equality and fairness;

it teaches discrimination. The bill, as now drafted, shows the government of Ontario does not intend to treat its people equitably.

Subsequent to former Premier Davis' announcement on extension of funding, he announced the establishment of the three commissions dealing with the implementation of extension of funding, the role of private schools and the financing of education.

3:50 p.m.

This board put much time, effort and thought into formal submissions to the Shapiro and MacDonald commissions. However, we have seen nothing result from these efforts. We have attached under appendix 1 a summary of our reactions to all three commissions and details of our recommendations. I hope you will have time to read them and see that they represent a fair and reasonable approach.

Several points from these submissions illustrate our concerns with respect to Bill 30.

To meet program requirements dictated by provincial legislation and exploding enrolments, and maintain mill rate increases which are fair and acceptable to local taxpayers, this board and many others must have better financial support from the province.

In the last decade, this support has been dwindling to the point that the provincial share of revenues to this board has been reduced from 59 per cent in 1972 to 27 per cent in 1984.

With extension, the York Region Board of Education will lose \$2.5 million in taxes. This will automatically mean a five per cent increase in the mill rate to local taxpayers paying public school taxes.

We have been told time and time again that our proven need for new schools cannot be met due to provincial restraint. Given this experience, we believe the 1985-86, \$80-million price tag for extending separate school funding will result in even greater delays in the approval of new schools and in no increased provincial funding for improvements to the quality of education. This surely is not in the best interests of public education.

We have conclusions but no recommendations. As Bill 30 is now drafted, Catholic taxpayers will be guaranteed access to two publicly funded education systems while non-Catholic taxpayers will not. The costs of this change will be shared by all taxpayers and will further burden the local public school taxpayer who will receive no educational value for the millions of dollars to be expended. Bill 30, as

written, cannot, in our view, be considered to be in the best interests of public education.

We would be very happy to answer any questions.

Mr. Allen: I want to thank the York board for its brief. We had representatives of the Ontario Secondary School Teachers' Federation from York region here before us at an earlier date and we had a fairly thorough discussion of your circumstances at that time.

First, there are a couple of matters that I would like you to clarify for me. You refer to subsection 29(8), regulation 262, with regard to guaranteed exemptions for Roman Catholic students in secondary public schools with respect to participation in religious exercises. This is the first time someone has detailed that particular regulation and I have not looked at it.

Can you give me a bit more detail about the regulation and about why it is there, what it seeks to accomplish and how it functions?

Mr. Kressman: If I may respond on behalf of the board, regulation 262 is a regulation under the Education Act. Regulations are generally drafted by civil servants and approved by the minister and they govern the day-to-day operations of elementary, secondary and trainable mentally retarded schools in Ontario. It does not, however, supersede any statute, but falls under it, as would any regulation.

Regulation 262 indicates that any student may be exempt from religious education or religious exercises on the basis of religious belief, simply by asking to be exempt. Normally what happens is they do not show up at school until that exercise or that class is over.

However, the bill that is proposed indicates quite clearly that a student who voluntarily goes to a separate school system may be exempt but he is not guaranteed exemption on the basis of religious belief. That places an inequity with regard to the handling of the Catholic student who is guaranteed exemption in a public high school, and the reverse is a "may."

Mr. Allen: Okay, I could not recall numbers and sections of regulations. I thought it was something other than I had been familiar with as some standing regulation which has governed that matter for so long.

What has concerned the committee has been the issue that lies at the heart of all the questions that arise around the issue of discrimination, and that is the problem we are confronted with by a constitutionally entrenched, publicly supported system that does have some distinctiveness to it, and what is necessary and what is not necessary

for the protection of that distinctiveness of a minority form of education.

At this point I am not entirely convinced that what is in the bill will stand intact at the end of the day, but at the same time the committee has not yet come to a clear formulation on that matter. I should also add that the separate boards that have come to us have been very diverse in their responses to this particular question. You may have noticed that some have been pretty confident about their capacity to maintain distinctiveness, at the same time being very generous with respect to that particular issue and a couple of others. So I just want to assure you a bit on that particular item.

With regard to the public board's responsibility for the redundant teachers under subsection 136(8), have you received a memo from the ministry explaining to you that it was going to take on responsibility for those additional teachers?

Mr. Kressman: That the ministry was? No.

Mr. Allen: No. The ministry claims to us that it has issued a memorandum. Mr. Chairman, I do not have the number at hand, but I encourage you to write the ministry to see what it was referring to when we were given that information.

Mr. Kressman: Is this something recent?

Mr. Allen: This is a memorandum that was issued late in the spring, if memory serves me correctly, some time in May or June.

Mr. Rowe: Would this be a memo from the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario?

Mr. Allen: It was with respect to legislative grants last May or June. The ministry insists there was something that committed it to that.

Mr. Epp: May I interject here? I wonder whether the ministry would make this document available to committee members. This was referred to earlier and it might be helpful if we had it available to the members of this committee.

The Acting Chairman: Mr. Offer, do you think that memorandum has been made available?

Mr. Offer: We were given some notice of that previously. Other boards have brought up this point. They have had some concerns about whether they would be burdened with respect to the cost of redundant teachers not in place. The ministry and the minister have made it fairly clear that it would be funded by the ministry.

Mrs. Walter: May I ask for a clarification of that? I did hear that someone was going to be responsible for these teachers for up to 10 years. Is that correct?

Mr. Allen: Can you ask that question again?

The Acting Chairman: This is the 10-year limit that had been referred to.

Mrs. Walter: The taxpayer has to carry this redundant teacher for up to 10 years?

Mr. Allen: That is the way the legislation is drafted at this point. I also have a note on my copy of the bill, by the way, that at the Ottawa hearings on August 23 the minister stated—and a ministry official did have a copy of a document that I did see at that time, but I did not note all the dates and information—that a memo with regard to general legislative grants, 1985, states that the cost of those not hired from designated lists will be covered by the ministry. Yes, all the protections in Bill 30 do span the period of 10 years.

Mrs. Walter: I guess I will come back as a private taxpayer and not comment on that now.

4 p.m.

Mr. Allen: There is another note I wanted to strike on that. Mr. Offer, are you finished on that point?

You are probably also aware that the minister has stated that the \$720-per-student grant that you get to cover ongoing costs is designed in such a way as to be different from the normal declining enrolment grant, because the instructional costs in the case of these students are transferred to the separate system. Is that an argument that makes any sense to you as a board?

Mr. Rowe: It really does not make any sense to us. When you get right down to the pure nuts and bolts of the matter, both the York Region Roman Catholic Separate School Board and the York Region Board of Education are growing so dramatically that our problem is that we do not have any places to put kids. So any change, for example, in the operating grant associated with net losses either way really would not affect our situation. I can appreciate that if some adjustment has been made in the operating formula to meld that over a period of time it certainly would not influence us one whit. Our problem is that we do not have any place for kids.

Mr. Allen: You are not a recipient of the general declining enrolment grant, because your enrolment is not declining, so you do not have a base of comparison to speak from with regard to the other figure when it comes to the declines

through separate school transfers. Is that what you are telling me?

Mr. Rowe: Right.

Mr. Allen: Okay. So it is inappropriate to ask you that question.

You have not given us any statistics with regard to transfers that have taken place in the current year. Have there been any from your board to the separate board?

Mr. McDonald: We have a report that Mr. Webber has the details on.

Mr. Webber: The only figure we have at the moment is 255 students. That figure came out of the separate school plan, but we have not yet validated it in relation to the actual transfers that took place in September. My suspicion is that it is considerably lower than that number.

Mr. Allen: So they are telling you they have received 255 students from the secondary public system.

Mr. Webber: That was what they expected to receive in their forecast. We do not think they received that many.

Mr. Allen: How soon will you know that figure?

Mr. Webber: It would probably be later this month or December before we would know for sure, after the September reports are analysed. It is a figure we will have to obtain from the separate board.

Mr. Allen: You have an agreement with the separate board concerning a mechanism and an understanding of the terms of transfer of students, the designation of teachers and responsibility for those teachers?

Mr. Rowe: No. I think what you are referring to is our board's reaction to the system of information set up by the planning and implementation commission.

Mr. Allen: Yes.

Mr. Rowe: In appendix 1, right after the last page of our presentation, you will note what we did. The board did not respond to the Newnham commission but has supported the position taken by the Metropolitan Toronto School Board. We sat down and had chats with our sister board to try to gain an understanding of what their plan meant and our reactions to their plan.

Quite frankly, as trustees in the system we wanted to see a piece of legislation before we were prepared to comment on anything. That was a great source of irritation to a lot of people: to make responses to a commission when there was

no legislation to look at. That was our board's position with respect to that.

Our director can correct me if I am wrong, but I can remember at least three occasions on which we discussed the nature of their problems and ours and what have you. However, there has been no formal agreement on anything.

Mr. Allen: I see. Was there any understanding about permitting them to advertise for teachers in your system or any of the elements of that?

Mrs. Walter: Yes.

Mr. Kressman: Yes. We had the situation last year where they were attempting to hire people for positions of responsibility and the planning and implementation commission said they could not do that, so I communicated with Bill Newnham and we straightened out that issue so they could staff for September. We have co-operated in that way quite capably.

Mr. Allen: Did they indicate to you that they would be prepared to accept responsibility for a certain number of teachers as determined by your pupil-teacher ratio?

Mr. Kressman: They wrote a statement in their planning document that indicated they were prepared to take in staff on the basis of a sequence of events such as advertising within our system for people who were Catholic who might like to make the shift and so on, going on from there.

After the two boards had considerable discussion and disagreement on the issue, it came through to that point. But it is probably fair to say that both corporate bodies realized that, given that we are in a high-growth area, this type of practice may never be implemented.

Mr. Offer: As a member from part of the Peel region which is experiencing the same type of growth as your region is, I was just going to carry on with respect to hiring policies and voluntary transfer. Is there anything in the near future that indicates you are going to be experiencing any decline in enrolment? I know your area is growing very rapidly.

Mrs. Walter: From the looks of our recent study, not for at least 10 years.

Mr. Rowe: You will note in our presentation that we are suggesting we will be growing for several years. We essentially make two points in the presentation. We are concerned with certain elements of equity, not one of which really relates to the potential for the transfer of staff. Realistically, the future is grand and grandiose with respect to our enrolment.

Right now we are concerned with the proportion of the education budget that is assigned to

providing classrooms and classes for our kids. That is the major priority.

Mr. Offer: If I am not mistaken, the separate board is also experiencing the same type of growth, so your coterminous boards are both experiencing a huge expansion. The teacher redundancy based on this implementation is really of no practical concern. It is a concern, but not a practical one in York.

Mr. Rowe: Not in the short term.

Mr. Offer: On page 5 you brought up your concern about the exemption of a child who voluntarily attends a separate school from the religious course. In that second paragraph you do state the reasons now indicated in Bill 30, such as program availability and what not. But now you say it excludes the student who wishes to enrol in a separate school. Why should that student also be able to be exempt from the religious training?

Can you expand on why, given the history of our country, that non-Catholic student who voluntarily wishes to go to a separate school ought to be exempt from religious study?

Mr. Rowe: There are probably a number of opinions here. A person can choose a school for a variety of reasons, only one of which happens to be religion. It could be where his friends are going, propinquity to where he lives—a number of reasons.

It would probably help the committee if it realized that one of the positions we have taken to the Ontario Commission to Inquire into the Financing of Elementary and Secondary Education is that, whatever legislation should come forward, access to either public system should be gained solely by the designation of tax support to the system chosen, possibly with limits associated with switching back and forth with respect to school planning.

4:10 p.m.

If you take a look at that concept—and I am sure it is not the first time this committee has heard it—once you have chosen your system and made a commitment to that system, you have made a commitment. Then the question you are talking about is quite different. People choose a school for a variety of reasons, only one of which is religion.

Mr. Kressman: If I might expand on that, we find that an interesting thing happens with respect to attendance at schools. A number of people make the choice on the basis of convenience. You would be amazed at the number of people who choose to go to a separate or a public

school because it is across the street or around the corner.

This particular piece of legislation provides that, for program necessities or hardship because of distance or geography, which would apply in Timiskaming or in some parts of eastern and southwestern Ontario, they may attend and they will be exempt. However, if the non-Catholic lives across the street from a Catholic secondary school and decides he wants to go for the sake of convenience, he cannot; yet the Catholic who lives across the street from the public high school can do so. That is simply the difference we are pointing out.

Mr. Offer: Are you taking into consideration the history of this country? What are you doing to the separate school system as it is now?

Mr. Kressman: I am not addressing that subject. I am talking about what is fair and equitable for Ontario's taxpayers in 1985.

Mr. Offer: I do not want to debate in any way. I just want to get a full idea of what you are stating. First it seemed you were saying that a non-Catholic could be a separate school supporter.

Mr. Rowe: Are you referring to the statement of our board? That is quite true.

Mr. Offer: In fact, they could elect, and be, trustees. If you have non-Catholics, you might have a problem. That is the logical carry-on from that.

However, now you are indicating that the particular non-Catholic student could attend a separate school and opt out of the religious course. There would be universal access with a universal opt-out. Given that fact, would it not be logical for somebody to say, "We are doing away with the separate school system?"

Mr. Rowe: No.

Mr. Offer: Why not?

Mr. Rowe: I am assuming that if it is not Bill 30, it will be another bill with certain changed attributes. What you are talking about is that a certain market factor is going to dictate who goes to what. In other words, if a person knows he wants to participate in whatever a Catholic education is, he will assume that the place with a primary emphasis on a Catholic education is the one that is going to attract proponents of that particular way of getting their education.

It is reasonable that some parents will say, "If I send my child to that particular school he is likely to be in the minority." There will be some people, given a free choice of either system, who

would go either way, but I definitely think they are in the minority.

In order to answer the question, I would have to ask you another one. Why would you expect there would be a problem? If you have a separate school system primarily for the reasons we know, and the other system, people will make the decision based on what they want to get out of that school, and more power to them.

Mr. Davis: I apologize. I had to leave when you were doing your brief. I did not have much choice.

Mrs. Walter: I was just wondering what colour stripe you wore and whether I had to stop.

Mr. Davis: You indicated that your concern is the same as that of the separate school board in your region, and that is for facilities. Have you explored with them the possibility of building a new high school together, one that would house both student bodies?

Mrs. Walter: We would if we did not both need high schools, plural, so desperately. If it were a question of having 1,100 students combined for a high school, fine but the next high school we have asked for is in Markham, for example, and we have students there to fill it now, so we are not looking for any sort of co-operation. We would, given the right circumstances.

Mr. Davis: That is what I am asking.

Mr. Kressman: We have.

Mr. Davis: What happened? Did you explore the possibility?

Mr. Kressman: Yes, and at this point the reluctance has not been on our part; it has been on theirs. We explored this as far back as 1981 and we are still prepared to do so, should there be need for only one school. We do jointly own some properties that we have taken the option on together, saying, "If you need it, fine," or "We will share it." We have already done that as a precedent step.

At this time the growth is such that we now are down to splitting schools.

Mr. Davis: I am not talking about splitting schools. I am talking about building a school—

Mr. Kressman: I am talking about getting a school by building it and using it together.

Mr. Davis: —that houses the separate school component and the public school component, with probably a sector in the middle that would be common. That is the only way I can think of doing it. I am not an architect. It would have shops and—

Mr. Kressman: No problem for us.

Mr. Davis: I understand you need a school in the Markham area and so does the separate school board. If you could build one composite unit you would do two things: save dollars and meet crisis needs for facilities.

Mr. Kressman: That is not the problem. In the Markham area we are talking about 50,000 people going into that area. We need two high schools and they need one. We need three schools in that area. We do not need one split between two boards.

In an area such as the north end of Richmond Hill where we are not sure what is going to happen, where there could be a need for one school to accommodate 1,200 to 1,400 students, we would have no problem in a joint venture.

Mr. Rowe: When I first saw the bill, given a lot of the talk that had gone on before, I was expecting to see some specific provisions to encourage joint management options, to encourage efficiency and effectiveness in the selection of sites. However, from the way we read the bill there is discouragement rather than encouragement for that kind of joint action with respect to programming. That is of concern to us.

You can imagine that if there were one school board in our particular area, your siting of schools and how you would seek to minimize the transportation distances for kids regardless of where they came from probably would be significantly different than if you were siting schools based on access to a group of separate school supporters and a group of public school supporters. That is something the bill does not address and, with the shortage of bucks we are looking at, it has to be addressed.

Mr. Davis: I raised the question because in the new budget the Liberal government brought down the capital expenses allotments are not sufficient to meet your needs. Therefore, we have to be creative. One creative way is to start building plants that house both. Even in the Markham area you have at least one building that starts to address it. Down the road you may have to build another one that would be your own.

That way at least you start to build. That is more important at this point than the limited resources.

The Acting Chairman: Thank you very much for coming before us and thank you for your forbearance. You left out a lot of issues because, as you noted, they had been addressed before, but you argued your position very tightly.

Mrs. Walter: We had read most of the briefs and realized what had been presented. We tried to keep ours brief, knowing that you have heard a lot before.

The Acting Chairman: Reverend Skumavc. This is exhibit 856. Thank you for coming. Please sit down. It is helpful if you sit down because Hansard then can pick up your words. Would you take us through your brief in a way that is appropriate for you?

FATHER SKUMAVC

Father Skumavc: I am Frank Skumavc, pastor of St. Joseph's parish in Beaverton. Thank you for giving me the opportunity to make this presentation. Its preparation seemed like making Canadian maple syrup; the matter had to be boiled down several times with some painful losses in order to make it fit into the 15 minutes I understand I have.

4:20 p.m.

The end product is of a more general nature with only three specific recommendations: on funding for Catholic secondary schools, hiring of staff and admission of non-Catholic students. It is made from the perspective of a Roman Catholic priest who is a refugee, studied in a Catholic high school in Slovenia, Yugoslavia, just prior to the Second World War, and now is a Canadian citizen and resident of Ontario and speaking in no one's name but his own.

Capital importance of a good climate: in dealing with the delicate subject of school funding in Ontario, attitudes are like climate. It is almost inevitable to have around some remnants of the oppressive atmosphere from the stormy past. It is our common task to help clear the air as far as humanly possible. In all human relations, an attitude or climate of goodwill, patience and humility must be fostered.

In hockey and baseball games, emotions flare up today; tomorrow they are gone. The school issue, on the contrary, has been cutting deeply into many hearts and souls in Ontario since pre-Confederation time. That is why we all must strive to have not only open ears, but also a listening heart.

My personal reasons for feeling about the issue the way I do: My roots are outside English, French and Canadian realities. Apart from the seven years of studies in St. Augustine's Seminary in Scarborough, and especially the 26 years in the priesthood, the happiest time of my life was in a Catholic high school, as already pointed out. Its spiritual values and formation also gave me added strength, added to that of my

home, to come through Hitler's Germany, Stalin's Soviet Union and Tito's Yugoslavia unscathed by their godless state philosophies.

Dangers to faith, and to the very survival, in the atomic age may be very different from those of 45 years ago but they are just as real. Young men and women in their maturing years need the added strength a school can give where the whole life, activities, curriculum and atmosphere are permeated with faith, hope and love.

The need of such schools today is even greater than in the past because spiritual values have largely been lost, not only in society at large but also in many homes. Schools that can impart them are a great blessing, both to their students and parents and to the whole society—like a green oasis in a bleak desert that benefits every traveller including strangers; that is, friends we have not yet come to meet and know and love.

The more Catholic, the more universal: There were fears of fragmentation when, in the wake of the Second Vatican Council, Latin was replaced to a great extent in the Roman rite in the Catholic church by modern languages. Separate schools evoke similar spectres in some quarters: fragmentation, ghettos, even religious wars. Be not afraid.

The well-known modern philosopher, Jacques Maritain, quotes in one of his works, André Gide: "What could be more Spanish than Cervantes, more English than Shakespeare, more Italian than Dante, more French than Voltaire, Montaigne, Descartes or Pascal; what could be more Russian than Dostoevsky; what is more universally human than these?"

Similarly, it can be said without hesitation, in my mind anyway, the separate high schools will be the more universally human and beneficial to the whole community in proportion as they will be more genuinely Catholic, permeated with the spirit of Christ. The stronger my hands and feet, the stronger my whole body.

This insight is very important. It can spell the difference between fears of ghettos and religious strife on the one hand, and eager acceptance or at least toleration on the other. It also should convince everybody how undesirable is the suggestion to turn the separate school system into an "ecumenical umbrella," which would no doubt sooner rather than later water down Christianity in separate schools to the lowest common denominator. Inoculation of students with it would be self-defeating. I would be the first to vote for abolition of a system that would be neither fish nor fowl.

Schools in a pluralistic, democratic society: In a pluralistic, democratic society the ideal would be for all groups that so desire to have schools that would help parents to impart and pass on to their offspring spiritual and cultural values along with general knowledge and skills. Recently increased awareness of the need for meaningful community and bonding as a biological necessity, greatly facilitated in a close community with intimately shared values, underscores the need for such schools. Their students and graduates can better reach out to others in healthy relationships.

Only because in practice this ideal is, for obvious reasons, impossible to attain by all groups, is a general public school system necessary. It must be preserved and fostered, but by its very nature it cannot foster the deepest spiritual needs and realities of human beings, which need to be fostered and passed on today more than ever—especially, of course, those of a religious nature.

I see a parallel between language rights and education rights. The Supreme Court of Canada seems to have recognized the importance of one's mother language in its June 1985 invalidation of An Act to provide that the English Language shall be the Official Language of the Province of Manitoba: "The importance of language rights is grounded in the essential role that language plays in human existence, development and dignity."

Am I, whose mother language is Slovenian—I started to learn English only at the age of 24—and, more so, a native Indian or Eskimo, discriminated against and is our dignity lowered because we do not enjoy the same language rights as English or French? Perhaps to a certain extent, but while in theory language equality is no doubt the ideal, in practice this ideal is for just as obvious reasons, impossible to attain as the ideal of perfect educational equality.

Until now the separate branch of the public school system has been, as it were, left beheaded. The question today, as I understand it, is really only about the last one seventh of it. Should the head be added to the body to make it whole and complete? Does it make sense to cut it off at grade 10? Some people have the impression that something totally new and unheard of is being done. In fact, one is talking only about grades 11 and 12, with grade 13 scheduled to be phased out soon, anyway. This will cause some expense but, I trust, not an unreasonable amount.

Bilingualism, elections, strikes and other realities of democracy also cost millions. It would be much cheaper and much more efficient to do away with elections and unions, as in Poland. It also would be much cheaper to dispense with the hearings of this respected committee and let the government issue a decree on funding. But do we really want to give up the freedoms for which so many gave their very lives?

Accessibility and hiring of staff: Detailed concrete proposals on accessibility and hiring have no doubt been submitted by others. Generally speaking, I am not worried personally about the admission of non-Catholic students to Catholic schools. Innocent children, even teenagers, are not likely to drag their peers away or to affect appreciably the catholicity of schools.

Neither should non-Catholic parents worry about their children being dragged away from their faith. Unlike members of some sects or cults, Catholics are not known for proselytizing. For example, schools like Loretto Abbey Separate School, De La Salle College, St. Michael's and St. Joseph's in Toronto and others have been accepting non-Catholic students for decades.

Nor am I very concerned about janitorial or even secretarial staff or any other personnel not directly involved in the teaching process.

4:30 p.m.

However, I am very concerned about the teaching staff. Teachers really make a school what it is, and spiritual values are more caught from them than taught. It is my experience that people with radical and antireligious ideologies usually are very eager and zealous to spread them by any means available and worm their way in any way they can.

The principle of having some non-Catholic teachers in separate schools is nothing new. They have been there for many years. With goodwill, any problems on this point can be solved for the satisfaction and good of all. I have known non-Catholic teachers in separate schools, in Oshawa for example, who in my own view were better qualified to teach there than some Catholic teachers.

I believe that public adherence to basic Catholic beliefs and practices is a necessary professional requirement, with all that involves, for a teacher in a separate school, at least if he or she is Catholic. However, I do not consider myself qualified or knowledgeable enough to

suggest just where to draw the line in the case of non-Catholic teachers.

Catholicity of separate schools in Ontario is constitutionally guaranteed, but it cannot effectively be assured without the right of competent authorities in the separate school system to hire or not to hire teachers or to dismiss them if necessary. I think there were some cases of teachers in Essex county and in British Columbia where the Supreme Court upheld the corporate rights of schools over individual rights. There must be regulations, including such that would deal with any alleged injustice or discrimination against teachers or applicants.

Here, too, nothing is foolproof for ultimately only God can read hearts, but it is the best we can hope for in safeguarding both the rights of separate schools and the rights of individuals.

May I conclude in the light and spirit of my introductory remarks? We must do all we can in all our striving and clash of views never to make one another feel humiliated or defeated. Even though it may sound Utopian, I pray to God and hope that this grave and complicated issue will be solved in wisdom, with justice for all in an atmosphere of goodwill and generosity in which all will be able to breathe freely and feel like winners.

The Acting Chairman: Thank you for a very philosophical presentation.

Mr. Offer: Thank you very much for the presentation. I like your analogy to Canadian maple syrup. I can assure you that after 856 briefs the issue does not become less sticky.

The Acting Chairman: I think we are going to have to bore you a little longer, Mr. Offer.

Mr. Offer: I will be just as sweet.

The Acting Chairman: Carry on.

Mr. Offer: With respect to page 3 of your submission, you allude to the non-Catholic teachers now in the separate school system. From your experience, you have had no personal professional problems with non-Catholic teachers.

I ask you to think about this. Under the bill there can be a non-Catholic teacher in a separate school, but he or she is going to be a different non-Catholic teacher. The non-Catholic teacher you allude to in your brief is one who goes to the separate school out of choice, whereas through the implementation of the bill and the extension of funding we might have a non-Catholic teacher in a separate school, not out of choice but because of employment.

I am not commenting on that teacher's professionalism. It will be as good as it ever was. I ask you whether you feel there could be any possible concern that the separate schools would have with respect to that type of non-Catholic teacher, the one who is there not out of choice but out of employment necessity.

Father Skumavc: I would like to emphasize again that I am here in my own name, not representing anybody. I have been a priest for 26 years and have been involved with schools, except for six years in the Croatian parish which does not have a separate school.

I do not believe it would cause any problem if they are just there by reason of employment. Most teachers are there for that reason anyway. In my experience, having lived in different systems, regimes and all that, I know there are people who are very zealous and messianic almost in their promotion of Naziism or Marxism or anything, and will do anything to worm themselves into a church or anywhere into any system, and work from the inside for its destruction. That is what I am worried about.

No, I do not think if one is there because of the employment it would be a problem. I see most people with goodwill. I am not seeing ghosts everywhere, or crocodiles or what have you. I am not a specialist in education. I am a parish priest but I am involved and I have visited schools. I made a point of going to every class for 15 to 20 minutes once a month just to keep in touch. In Oshawa, for example, I know excellent Catholic teachers in the public school system who could come over.

You have your own dues and I am not knowledgeable about that. I am not worried about that. That is why I said I would hope a school board, in my mind, would have that right to say, "We cannot take you." I believe that is a professional requirement. Just as I cannot complain that I cannot teach there, no rights of mine are violated because I do not have all the requirements to teach in a school even as a priest. Do you see what I mean?

Mr. Offer: Yes. Thank you very much. I have no further questions.

The Acting Chairman: Thank you very much for coming before us today. We appreciated that you were speaking as an individual and it is good to hear from individuals.

Father Skumavc: Thank you very much.

The Acting Chairman: The next submission is from the National Association of Canadians of Origins in India, Metro Toronto branch. The

submission is exhibit 857. Please introduce yourself and then take us through your brief.

HINDU FEDERATION OF CANADA,
NATIONAL ASSOCIATION OF
CANADIANS OF ORIGINS IN
INDIA, CANADIAN COUNCIL
FOR RACIAL HARMONY

Mr. Bhadauria: Mr. Chairman, my name is Jagdish Bhadauria. I am the executive director for the Canadian Council for Racial Harmony. I am also the Metro Toronto president for the National Association of Canadians of Origins in India. My third position is secretary-general of the Hindu Federation of Canada, in Ottawa.

It gives me great pleasure to present this brief on behalf of all three organizations. Unfortunately, my colleague Ms. Goyal was involved in an accident about half an hour ago and cannot be here. I will carry this committee through the presentation. She had an extra presentation to make. I will not go through my brief. I would rather elaborate on some points as and when they come.

4:40 p.m.

First, the history of all three organizations is somewhat interrelated. The Hindu Federation is a collection of all Hindus across Canada, roughly 200,000. However, the National Association of Canadians of Origins in India is an umbrella organization of all religious groups, mainly Hindus, Muslims, Christians, Buddhists and others, coming from the various geographic backgrounds which include India, Guyana, East Africa and the Caribbean.

There are an estimated 200,000 Indo-Canadians in Ontario on whose behalf I am presenting this brief. Without exception, all of them adhere to one of the many established religious faiths, such as Hinduism, Islam, Sikhism, Buddhism, Zoroastrianism, Jainism and Christianity. It would be interesting to state here that India has more Christians than Canada has—about 23 million. Therefore, we have come from a secular society, although in Canada the number of Christians from India is rather small.

The first Indo-Canadians came here in 1904 to Vancouver and then most of us came after the Second World War. Sound education of its children is the first priority of every Indo-Canadian family. This tradition has been brought by all of us from our countries of origin, including India, East Africa, Guyana and Trinidad.

Back home, if you call our ancient ancestral home that, there are two types of schools: public

and private. Public schools are government funded institutions that can be administered by a multitude of corporate bodies, such as municipalities, religious organizations, industrial and commercial corporations, philanthropists and even individuals. As a matter of fact, some of the largest schools are run by an industrial corporation.

Mr. Birla, who is like Conrad Black here, is in charge of a corporation which runs about 90 different high schools across the country, having about 150,000 students, three universities, plus a multitude of high schools. Irrespective of the management, no religion can be taught in any school. All education must be secular and must follow the guidelines set by the state governments.

The facts on page 2 should be noted because all institutions, high schools, are funded up to 95 per cent. Anyone who can put down five per cent of his or her own money would be allowed to run a high school. However, the curriculum and everything else, including the final examination, which is always a board examination, has to be approved by the government. There is no difference whether a municipality runs a school or an individual runs a school. Only the name will differ—Joe Blow's High School or Municipality of Delhi High School. That is about the only difference.

It is, therefore, not surprising to see Hindus attending schools managed by Muslims and Sikhs attending schools managed by Hindus. There is no exclusionary policy. Any student of any faith may attend government funded schools up to grade 12.

I have deliberately left out private schools which are something like our Upper Canada College, Appleby College, places like that. There are quite a few of them because of the elitist nature of Indian society.

Under union law there can be no discrimination in employment of teachers in any school, with the result that one can find teachers of several faiths in a school managed by people of one religious faith. In a Hindu school, Muslims, Sikhs, Buddhists, Christians, and whoever is best qualified to teach the subjects, cannot be denied employment because of his/her religious persuasion, although it is a fact that most Muslims would rather teach in a Muslim school than in another school.

The history of education in Ontario is one of religious intolerance. On page 3 I have tried to give a little of the history behind it; I know several volumes cannot suffice for what I have

put here but this is the perception we get from reading the various volumes on the subject. This religious intolerance was imported by the earliest immigrants from their home countries. The minorities were apprehensive of the dominance of the majority. They believed that unless religious minorities had their own schools, in which parochial doctrines and dogmas were preached, they would lose their identity.

These unfounded fears gave birth to the separate school system pursuant to the Education Act of 1841. The successive governments of Ontario were compelled to grant increasing powers and privileges to the Roman Catholic minority until 1867, when the principle of two systems of elementary public education was incorporated by the Fathers of Confederation in the British North America Act. At that time, only 17 per cent of the population was Roman Catholic.

Over the past 118 years, successive waves of immigrants have transformed the country from a two-culture, Christian, agrarian society into a multicultural, multi-religion, industrial society. The fears of religious and cultural dominance still abound but the tables are turned. The minority of the pre-Confederation era is now a religious majority in the province.

Societal forces preclude absolute dominance of one culture over another or its obliteration. The same applies to religions, which in many cultures have lost their stranglehold on followers. In other words, many of the religious strengths have been lost.

If this honourable committee has been following the news reports of the Toronto Star lately, not more than 30 per cent of people of any established faith attend church regularly, compared to roughly 88 per cent 100 years ago. The role of the church has been diminishing year by year since the end of the Second World War.

The policy of multiculturalism in Canada is a policy of cultural pluralism. It recognizes every cultural group in this country and gives them an equality of status.

"It states quantitatively that the culture of each segment of the Canadian mosaic is just as valuable as the next, no matter the numerical strength of those Canadians belonging to that community."

This statement was made by the Honourable Jim Fleming several years ago when he was speaking in Toronto. Underlying the above policy statement is an assumption that the worth of every member of society is equally valued and that promoting one's cultural and religious

identity enhances the feeling of self-worth in each individual.

4:50 p.m.

This was also the basis of a great deal of discussion which took place before and during the constitutional debate in Parliament. Historically, there is nothing new in the above statement. Before Confederation, one of the Fathers of Confederation, Sir Hector Louis Langevin, said that basically, by including the rights of the separate school supporters, we are giving equality to all people in Canada. He said we are doing "...justice to all races, to all religions, to all nationalities and to all interests..."

At that time that was a very proper statement because in Lower Canada the people of Quebec feared for their own culture, and still do. By incorporating the minority interest in denominational schools they were given due recognition of their culture.

Now, 120 years later, we are asking for exactly the same treatment from this committee: To do justice to all, "justice to all races, to all religions...and to all interests." The reality of Ontario is totally different from that of the pre-Confederation era. We were not here 120 years ago and, therefore, we cannot prevail over the existing agreements and privileges flowing from these agreements. But we are here to make sure that our children enjoy the same benefits and privileges flowing from any legislation that is enacted from now on.

The question is not of denying the Roman Catholics funding for operating their high schools, but one of unity. Let there be one class of high schools so every child in Ontario has the same opportunity to complete his or her schooling in a secular environment. If the Legislature intends to provide separate schools for one religious group, then it must fund all high schools run by any religious faith.

The Legislature, by virtue of Bill 30, is creating a privileged religion, a privileged class of people who can operate their own high schools. The impression created by most discussions is that other religious groups cannot manage their own high schools as well as the Catholics.

The argument that has been made is that they have the historic right to have their high schools, which is true. No one is taking that right away. I do not think any group in this province would undo what was done 118 years ago. However, we are saying that the reality of today is different and, therefore, creating any benefit or any right

that is going to affect generations to come must take into consideration what is there in 1985. That reality is being ignored by the bill.

It has been claimed that the most important reason for extending the funding has been the inequality that has existed for the last 118 years. By extending the funding right to the end of the high school, the historic inequality and injustice to nearly a third of the Ontario population are being removed. In fact, the Legislature is creating another historic inequality and injustice to twice as many people and 10 times as many religions, which exist in Ontario now.

In this day and age, there is no reason to elevate one religious group over all others, knowing well that any privilege granted to one religious group would become a permanent fixture of our educational system for centuries to come, provided we survive all the centuries to come. It is a fact that no Legislature can take away the power of the Roman Catholics to have their own schools, and we are talking about 118 years later.

We believe that any power given now as a result of Bill 30 will become a permanent fixture of the laws of this province that cannot be taken away. It is not something about which subsequent Legislatures will say: "The time has come. We will take it away." It will not be taken away; once you give it, you give it. It is an impossibility to take away something once it is given, especially in the field of education. Something was given over a century ago. It existed and is a reality and, therefore, even though it may be named as an add-on benefit, in our opinion it is going to be a permanent fixture and can never be taken away.

If the intention of the Legislature is to protect minorities, then give funding to people of Hindu, Muslim, Sikh, Buddhist, Jewish and other faiths. Those are the real minorities of 1985. The historic claim theory is as redundant in the Ontario of today as is the claim of North American Indians to Manhattan Island. The general focus is that by itself it does not do justice to all the people in Ontario.

I am going to deal with something very specific in the bill, section 136l dealing with employment of teachers.

Notwithstanding the irrationality of the whole issue of high school funding for separate schools, Bill 30 contains one of the most heinous clauses, permitting legalized discrimination in employment in the name of religion. Of course, every religion is entitled to pick and choose and employ its own priests and preachers. No

government funding is available or provided for that purpose. Currently, separate schools get public funds for hiring only Catholic staff. Bill 30 perpetuates that religious discrimination in regard to teaching staff.

We are not talking of the special provisions that provide that if someone is bumped from the public high schools, for 10 years he has a designated status and there is a whole procedure of 21 subsections. We are talking about people who are graduates of college or future graduates of college who have spent four years in university and want to be teachers. The whole thing is particularly focused on that problem.

With the extension of public funding to separate high schools, over a third of all teaching positions in Ontario will be reserved for Catholics only. The bill intends to create two classes of persons. Catholics would have exclusive right of employment in nearly one third of all teaching and administrative positions in Ontario, based on the projection that one third of all schools will be separate schools, and they will have equal access to all positions in public schools.

Compared to that, non-Catholics can apply only to two thirds of all educational schools in Ontario. There already is the provision that in elementary schools only Catholics can be employed; that has existed for 130 years.

By extending the same privilege to high schools and assuming that the projection of 36 per cent of the population is correct, it will mean in effect that one third of all schools will have all teaching and administrative positions reserved, by the very reason of being Catholic schools, for one group of people.

5 p.m.

Not only that, under the Ontario Human Rights Code they can also go to any other public school. That means one third of the population has access to 100 per cent of schools, whereas two thirds of the population is totally removed from one third and can go only to two thirds of the educational institutions. We are creating two different kinds of people in the employment sector in education.

This is a statement made by Mr. Chrétien, the Minister of Justice in the previous government. He had very strong support for multiculturalism. He made the comment in the House of Commons that, "We have the occasion to build...a better Canada—a Canada which will recognize the diversity and equality which should be in our society, a Canada which will protect the weakest in society." We find it very hard to see Bill 30 as protecting the weakest in society. It is protecting

some people, but it is not protecting the weakest in society. Weakest are the other religious groups, the two, three or four per cent.

Recent studies on employment-related discrimination show that Indo-Canadians, a visible minority group, face more employment discrimination than any other group of equally qualified persons.

Two of the studies we have quoted here very clearly show that there is rampant discrimination in educational institutions. Who is to be blamed? Nobody knows. But that is what it is. It says: "Only 39 of these same jobs were open to black West Indians and even fewer, only 28 of these jobs were open to the Indo-Pakistani callers. These results indicate that non-whites must work harder and longer to gain access to potential employment opportunities, even though they have equal educational and employment experience with whites."

The reason I am bringing that particular fact, although it may appear that this is totally unrelated to Bill 30, is that the employment aspect is included in there. If that were not included, this would be totally irrelevant. The projection is that by the year 2000, there will be roughly 190,000 educators and the separate schools will employ about 40,000 to 50,000. We are talking about a big chunk of employment opportunities for everybody.

I have also quoted two other studies here. This was Professor Frances Henry's study, *Who Gets the Work*. The next study is exactly the same, but the third study, *No Discrimination Here*, found that in all six boards of education and the colleges, non-whites have been totally kept out for the last 10 years. I will have the statistics afterwards.

In our submission, section 136l of the bill has the effect of legislating discriminatory practices in contravention of subsection 15(1) of the Charter of Rights and Freedoms. Even without the added discrimination that would be created by allowing separate high schools, educational institutions are the worst offenders for racial discrimination in Toronto.

The Toronto, Scarborough, Etobicoke and North York boards of education have spent more time, effort and money in projecting their image as equal opportunity employers than on the hiring of Indo-Canadians. The Scarborough Board of Education has hired two Indo-Canadians out of about 600. The North York and Etobicoke boards have hired none and the Toronto board has hired 11 out of 900 in the last 10 years. These are appalling statistics.

I know it has nothing to do with Bill 30, but in 10 years' time it will probably have a drastic impact on the employment situation in educational institutions. Seneca College of Applied Arts and Technology and Centennial College of Applied Arts and Technology are out of bounds for Indo-Canadian teachers, many of whom possess the highest qualifications. The University of Toronto and its constituent colleges have taken an anybody-but-an-Indo-Canadian attitude for all their teaching positions.

An investigation would show that in educational institutions in Ontario, fewer Indo-Canadians get employment than non-whites in South Africa. That is a fact one of the reporters from New York state brought out when he held up some statistics.

Add to this the provisions of section 136l, and the combined effect of religious and racial discrimination here is no better than that of apartheid in South Africa. However, that is far away. I think we have here a Legislature, people and institutions that care for equality in all respects. Although the results do not show it, it means there is no lack of good intentions on the part of legislators, administrators and others who want to see this as a viable community for our children.

In our opinion, creating new privileges and rights for any one religious group is unfair, unjust and undemocratic. We urge you to withdraw Bill 30 in its entirety. To oppose Bill Davis's folly would be your collective wisdom and foresight.

I have given you some of the appendices, showing some of the recent studies that have been done. I would be delighted to answer any questions. The latter part may appear very strongly worded but it is nothing extraordinary. Research has shown that our people face problems. These may be the teething troubles of starting out in a new country. A period of 25 years is not a long time compared to the Catholics who have a history of 200 years in this province.

There are religious aspects to the bill. I would never want to send my children to a Hindu high school. However, there are many people who would like to have their own high schools. If this committee decides to extend funding, it should be extended to all religious faiths. There are some very good schools run by different denominational groups.

The Acting Chairman: Before you get further into that argument, you have used up the time for your presentation and the members of the committee may have questions.

Mr. Bhadauria: By all means.
5:10 p.m.

Mr. Offer: On page 10 you say that "new privileges and rights for any one religious group is unfair, unjust and undemocratic." However, in all your discussions you have not alluded to the fact that arguments concerning its constitutionality in the deepest and most fundamental meaning have been taken by many groups to the Court of Appeal. I would like to get your feeling about that. I was wondering whether you might be saying that the separate school system in Ontario from its inception ought to be disbanded.

Mr. Bhadauria: Was the first part of your question why we have not touched upon the constitutionality of the case?

Mr. Offer: Yes.

Mr. Bhadauria: Our organization raised the question in the Court of Appeal. The legality of the whole issue is a totally separate issue. We dealt with that in front of the judges and I replied to the judges for half an hour, relating the whole history. I have taken all the legal aspects of the issue out of this brief. That is why it does not appear. We gave a 500-page legal and historical background and a 30-page factum. I spent 65 minutes answering the five judges at the Court of Appeal. That is why the whole issue of constitutionality is missing from this.

Mr. Offer: I will ask you one supplementary question about that. After such an exhaustive factum and having been given such a right before the highest court in Ontario, I wonder why you use the word "unjust" on page 10 in the second line of your second-to-last paragraph.

Mr. Bhadauria: It is unjust because as of April 17, 1982, any right given to one person must be given to every resident in Canada. It does not matter who. I am not concerned here whether he is a Roman Catholic or a Martian. Extending that to Ontario, if this Legislature decides to give one person on the street a right, every other person under the law of this country, under the Constitution, under the Charter of Rights and Freedoms, must fight in the courts to get the same right.

If this committee had considered the whole issue prior to April 16, 1982, it would have had every right to implement the program and Bill 30 would have passed. There would have been smooth sailing; no problem. As of that date the whole environment, the laws of this country changed. That particular date is very important to every person. I am speaking as an Ontarian, as a Canadian. That is the foundation. I would say

that date is more important than the 1867 foundation of a united Canada.

Mr. Offer: I will not debate that, but I do believe the use of the word "unjust" might have been unjust. The mere fact that people are before that court, are able to go to the highest court in Ontario and exhaustively present their position on why something may not be constitutionally valid, is one of the best things our system has to offer. I have a problem in accepting the use of the word "unjust" when you have been given such a right before the Court of Appeal.

The only other thing I will do is reiterate the other question about whether you are asking for the separate school system to be taken apart.

Mr. Bhadauria: Let me answer the last part first. No, we are not saying that. To undermine the integrity of a culture or a heritage is totally unproductive. Whatever exists, exists. We are not saying that any right that exists should be taken away from anyone. It is not a question of whether they are being funded. The very principle that they have a right, and that because of some pressure it was being taken away, would revert our society to the German society of 1935, with the pressure of a majority trying to take rights away.

We will be opposed to any move to take away their rights, which are theirs as a result of Confederation. They had a right to funding from grades one to eight and subsequently to grade 10. Let that exist. It is part of the history, culture and tradition of this province so it should exist.

However, as I said, the Constitution of Canada now has changed the reality. Since the day it was adopted, I do not think this Legislature has had the jurisdiction to say, "We will do this for Roman Catholics and not do the same thing for others." I say that very respectfully. That power has been taken away from any Legislature. Even Parliament cannot do that.

However, let me go back to the previous question. The word "unjust" did not refer to the process. We appreciate what the process was. In my 18 years in this province, I had not seen that kind of process in Mr. Davis's government. It was done by decree. Whatever he did, he did. That is history now. That word "unjust" does not apply to the process, but if the Court of Appeal decides against the bill and this committee decides to go ahead, I think that will be unjust. I am using the word after the fact. It does not apply to the way it is being done now. Please accept my apologies if that was the impression created.

The Acting Chairman: Thank you, sir, for coming before the committee.

The committee adjourned at 5:17 p.m.

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Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, November 6, 1985
Morning Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, November 6, 1985

The committee met at 10:04 a.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to Amend the Education Act.

Mr. Chairman: There is a quorum. We have a long day ahead of us; so I would like to proceed with the first item, which is the Prescott-Russell County Board of Education. Please come forward and take some of the seats in front of me.

You could start by introducing yourselves when you are settled. Get a glass of water and whatever you would like. It is good timing, arriving at this stage. We are reading a lot about your county and the issue of Bill 30 at the moment in the papers; so it is a very timely point for your presentation.

Perhaps you could introduce yourselves from left to right or whatever way you would like, for Hansard, and then we will let you go through the brief any way you would like and open for questions after that.

PRESCOTT RUSSELL COUNTY BOARD OF EDUCATION

M. Perras: Mesdames et messieurs du Comité permanent des affaires sociales, nous désirons, au nom des membres de notre conseil, vous remercier de l'occasion qui nous est ici donnée de vous présenter le mémoire du Conseil d'éducation des comtés de Prescott-Russell.

Notre délégation se compose des membres suivants, qu'il me fait plaisir de vous présenter: D'abord, moi-même, Marcel Perras, vice-président du conseil; M. Gilles Myner, conseiller scolaire; M. Allan Simpson, vice-président du conseil ainsi que du comité élémentaire public; et finalement, notre directeur de l'éducation, M. Robert J. C. Pilon.

Conscients du renvoi, devant la Cour suprême de l'Ontario, du projet de loi 30 afin d'en établir la constitutionnalité, les membres du Conseil de l'éducation des comtés de Prescott-Russell ont approuvé une résolution ainsi formulée:

"Que le conseil autorise MM Gilles Myner, Marcel Perras, le Dr Allan Simpson ainsi que Robert J. C. Pilon (directeur de l'éducation) à présenter au Comité de développement un mémoire énonçant et précisant la résolution

adoptée par ledit conseil quant à la création d'un conseil scolaire de langue française et quant aux inquiétudes des conseillers publics exprimées à ce propos."

The main purpose of this presentation is to make the members of your committee aware of the educational, financial and linguistic consequences which might eventually arise if the provisions contained in Bill 30 are implemented.

Paradoxically, when we attempt to apply the provisions stated in Bill 30, we notice that the second fundamental principle enunciated in William G. Davis's declaration to the Legislative Assembly on June 12, 1984, is not applicable to the Prescott-Russell counties.

Mr. Davis stated that "we must not undertake a course of action that by its nature or in its execution would cripple or limit the viability of our nondenominational public secondary school system, which is accessible to all and universally supported and which will always remain the cornerstone of our education system."

Mr. Myner and Dr. Simpson will attempt to illustrate that this statement, also supported by the present government, cannot be respected in Prescott-Russell.

During this presentation, we wish to show you the divergent opinions which have surfaced among the members of our board since the analysis of our board's survey results. Up to that time, the board had supported the status quo in our secondary schools, a position which is attached in appendix 5. Also, you will find in appendix 1 a summary of the survey results as compiled by Dr. Michaud of the University of Ottawa.

Since the board has moved from its status quo position, although it still resists the takeover proposal by the separate board, strong opposing opinions are being expressed by various segments of our population. Much of the unrest is due to the fact that we, the trustees, have not been given legislation by our government.

10:10 a.m.

The trustees are unable to inform adequately the ratepayers, their employees and their students concerning the final outcome of its latest decision to create a French-language board which would respect the denominational and nondenomina-

tional components of our French-speaking population.

The delegations during the last board meeting and the student walkouts during the past few days are a clear indication of the board's inability to finalize the implementation mechanisms related to sound educational planning. We have appended some briefs submitted by ratepayer and student groups illustrating this point.

Therefore, we are of the opinion that the amended legislation warrants the inclusion of a mediation process which could assist boards faced with population unrest.

The following motion, adopted by our board on October 9, 1985, and supported by our coterminous board on October 17, 1985, is, in the opinion of the majority of our trustees, the solution that best meets the uniqueness of Prescott-Russell.

"That the Prescott-Russell County Board of Education

"(a) support the concept of a French-language school board as proposed by Mr. Pierre Foucher, lawyer, as a pilot project of law for region number 1 of the AFCSO, presented on September 13, 1985, and discussed at a conference at Mont Ste-Marie on October 4, 5 and 6, 1985; and

"(b) try to find, by all available means, an equitable solution in order to ensure a good and sound education for the English-speaking students of Prescott-Russell."

The uniqueness, recognized by Dr. Bette Stephenson in a letter dated January 3, 1985, will be explained by Gilles Myner.

Mr. Myner: A study of the 1981 and 1982 censuses of Canada, published by Statistics Canada, reveals some significant characteristics of the Prescott and Russell counties. A study of the synoptical chart in appendix 2 will enable us to ascertain the uniqueness of our counties when we examine the linguistic distribution and religious affiliations.

The demographic portrait shows French-speaking Roman Catholics as 72.1 per cent of the population; French-speaking non-Roman Catholics, 3.8 per cent; English-speaking Roman Catholics, 10.4 per cent; and English-speaking non-Roman Catholics, 13.7 per cent. You will find these figures in appendix 2, section B.

An analysis based on the most recent data will illustrate the unique characteristics of the two school systems, public and separate, within our counties according to the September 30, 1985, enrolment. You will find these figures in appendix 3.

If the school system is grouped on the basis of religion, the following breakdown can be made: A Roman Catholic system would represent 82.5 per cent of the population, and the non-Roman Catholic or public section would represent 17.5 per cent of the population.

Indications are that an undetermined number of our French-speaking Roman Catholic students would prefer a nondenominational education, while the others would opt for a Catholic education. The application of Bill 30 would disrupt the educational process of the French-speaking population by dividing the number of students, thus creating smaller student groups, which would thereby limit the viability of course offerings and increase the financial burden on the local ratepayers.

We would experience similar problems for the English-speaking population if English-speaking Catholic students, who have traditionally, in large majority, allied themselves with the nondenominational English-speaking population for educational purposes, start to opt for a religious education.

On the other hand, if the system is grouped on the basis of language, the statistics indicate a different situation. The French-speaking system would represent 75.9 per cent of the population, and the English-speaking system 24.1 per cent, which is a considerably larger representation.

Members of the committee may question the board's change of position since its presentation of a brief submitted to the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario on February 14, 1985. At that time, the board indicated it would maintain the status quo as long as it was the public's will and legislation so permitted. A copy of the board's position, as published in local newspapers, has been appended for your information as appendix 5.

Co-operation with the coterminous board has been obtained through our discussion on a French-language board model prepared by Pierre Foucher, a lawyer, on October 17, 1985, whereas little co-operation was evident at our inter-board meetings during the discussion regarding the planning and implementation of Bill 30. Furthermore, it was felt by the trustees that because no definite preference was indicated by the population in the responses obtained from the survey, a unique solution would be attained by adopting the French-language board resolution.

The proposed French-language board would be structured in the following manner: All the

French-speaking components of the population would be grouped under the same school board and would be represented by trustees elected by the Roman Catholic ratepayers and by trustees elected by the non-Roman Catholic ratepayers. These trustees would be grouped under two separate management committees, each having full exclusive rights on the educational affairs of the population it represents.

A full description of the proposed board is outlined in the Foucher document presented by region 1 of l'Association française des conseils scolaires de l'Ontario, or as per the proposed legislation to be presented to the Legislature by the Minister of Education (Mr. Conway) in the near future.

It is our hope that the English-speaking component of our population can develop a suitable mode of self-governance to maintain a viable educational system.

It is to be noted that if this solution is adopted, it provides for the election of trustees by two components of our population which in the past have been left out.

A breakdown of trustee representation for English-speaking Catholics and French-speaking nondenominational ratepayers is contained in appendix 7.

We hope the members of the social development committee will realize that the unique solution proposed for the Prescott-Russell county board respects the ruling of the Supreme Court of Ontario, rendered in June 1984, regarding the right of governance of French education by French-speaking trustees while, in our opinion, preserving the viability of quality education for our English-speaking minority.

Dr. Simpson will now outline the views expressed by the public trustees on our board, because they have concerns.

Dr. Simpson: I am presenting a minority report on behalf of the six trustees who are elected to the Prescott-Russell board of education by the public school ratepayers.

The six trustees have exclusive responsibility for managing the five elementary public schools in the counties. They sit as equals with the 12 trustees elected by separate school ratepayers for managing all matters concerning the six secondary public schools in the counties.

The six trustees elected by the public ratepayers have been and are now English-speaking, while the 12 elected separate ratepayers have been and are now French-speaking. This reflects the linguistic mix in the counties but is not established by legislation.

10:20 a.m.

The minority—public school ratepayers, predominantly anglophone Protestant but by no means exclusively so—has felt that the board, in a sense a confederate board, has worked well. We believe all students have been as well served as the resources of our communities permit.

The board administers six secondary schools, each serving a single community with surrounding rural areas. At present several students spend an hour each morning and evening on buses in spite of attempts to reduce this waste of time.

The trustees elected by public school ratepayers agreed with and supported the trustees elected by separate ratepayers in maintenance of the status quo in the schools, while discussions with the coterminous separate board occurred to attempt to reach a compromise to their takeover proposal. The trustees elected by public school ratepayers are unanimous in their support of the trustees elected by separate school ratepayers in rejecting Bill 30 as a beneficial step in the schools of Prescott-Russell.

The public ratepayers reject a division of our secondary schools along religious lines. At the board table, trustees elected by separate ratepayers are already in the majority and have clearly proved they are willing and able to co-operate with the religious—namely, Protestant—and linguistic—being English—minority in a reasonable manner over the past 15 years.

Rejection of the division at the classroom level, suggested by Bill 30, has been supported by the survey results where more than 65 per cent of all respondents, regardless of religious or linguistic lines, requested the board to seek an alternative solution. It has already been clear that several professional, parent, student and special interest groups have also rejected implementation of Bill 30 at the school or classroom level.

The trustees elected by public ratepayers are unanimous in their feeling that each of the six single-school communities must be continued to be served by a public secondary school. This position is supported by the survey results, where a majority in every community indicated that a public secondary school was important or very important in contrast to a distinct minority who felt public education was not important.

I would refer you at this time to appendix 1 for a correction in the response in number 7. It is the third page of the small number iii at the top in the appendix, number 7(a) in appendix 1. Number 1 is at the top of the first page of the survey results. We go down through the questions to number

7(a), which is the table entitled "Viability of a Public Secondary System."

In question 10(a), we asked how important is public secondary school. Separate school ratepayers, 1,480 of them, which should read 66.98 per cent, support maintenance of a public secondary system. Under public ratepayers, with 997 responding, this indicates 89.89 per cent of them favouring the maintenance of a public secondary system. Among people who did not identify whether they were separate or public ratepayers, there were 54.98 per cent favouring maintenance of a public secondary system.

When you break down these responses by each community, the single-school community all voted more than 50 per cent in favour of maintenance of a public secondary school in that community. For anyone wishing those exact figures during the question period, we have them here. I did not include them in this appendix.

To go back to the text, we support the recent statement by Mr. Newnham indicating, with respect to Bill 30, that "arrangements must be made to maintain programs in public schools" and that "all pupils will be provided with appropriate programs, including special education and vocational programs."

I would like you to make a note at this point that during the question period I will point out a problem with our existing schools as demonstrated in appendix 6.

The trustees elected by public ratepayers reject unanimously any attempt to fragment our secondary school program. We, therefore, reject the proposal by the majority of French-speaking trustees regarding the formation of a French-language school board. We believe the board has for over 15 years been sensitive to the needs of the six communities, as evidenced by provision of three unilingual French schools in the communities requesting them and three mixed schools where the population requested it and justified that service. We believe the French-speaking populace in practice, if not by law, should administer its secondary education.

We offered the option of voting in favour of the formation of a homogeneous francophone board as a step in response to the frustration regarding negotiations on Bill 30. The population gave that option the least support of any of the four offered. During question period, I can point out data to support that statement.

In summary, therefore, the trustees elected by public school ratepayers and supported in their present position by many separate school ratepayers of both linguistic groups request that:

1. A moratorium be placed on division of secondary school programs along religious and/or linguistic lines in Prescott-Russell for four years from September 1985 to September 1989.

2. That a committee be established by the ministry with local personnel and a mandate (a) to develop various scenarios in detail taking into account all groups affected; (b) to present these scenarios to the public for review and discussion with appropriate forums for input from the public; and (c) if necessary, to place the choice of the scenario on a public ballot on or before elections in 1988, so that the new board would be clear in its mandate to administer education into the 1990s with a relatively well-informed public in contrast to one which is now confused and is getting very angry, as evidenced by the recent walkout, reported in the newspapers, at our various mixed secondary schools.

10:30 a.m.

M. le Président: Merci de votre commentaire et de votre mémoire. Vous avez un grand problème à Prescott-Russell. Les liens sont faciles à comprendre mais difficiles à résoudre.

Perhaps I could ask a question, first of all, on the dissent and then open it up to members. Although you are opposing the formation of a French board, you know about the Supreme Court of Ontario ruling that has made this a right of the French-speaking population. How do you square those two things when there is such a massive French population in the counties?

Dr. Simpson: I would suggest that in effect and in practice the francophone population administers its education now and that it would require nothing more for it to receive the security under legislation for the management of that education, nothing more than was given to the anglophone community in 1968 or 1969 when six elementary trustees were given exclusive management rights for its education.

We sit with our francophone compatriots and have done so for 15 years in what is realistically a confederate board. All it requires is one more clause in the legislation to recognize that the francophones manage their education and that we have a confederate board responsible for working out and co-operating in the management of a single school, not one that is divided into two, three or four entities, but rather where the mandate is to sit together and for one group to respect the opinion and presentation of the other group.

Mr. Chairman: It has not been seen as appropriate by your francophone colleagues.

What is your response to that suggestion about that being all you need for your gérance?

Mr. Myner: With respect to the fact that you have two sets of trustees elected by the separate school ratepayers in the counties, one set to the board of education and one set to the separate school board, there are natural conflicts between ideologies, etc., of the two groups.

Another important facet of it is that there are two groups in our communities which traditionally—not by law, but by demographic makeup of the community—have never had any representation on either school board. They are the francophone nonreligiously aligned and the anglophone Roman Catholics.

We have come to a point where we have to recognize that these populations exist and have rights too. Our proposal for the division on the linguistic line takes care of that. If we relate to the statistics I mentioned before, if we divide under religious lines, the public population is represented by only 17.5 per cent of the population, while on the other side 24 per cent of the population is grouped under the board. In this way, we can maintain higher numbers of students to be able to maintain the viability of the system. That is our position at this time.

Mr. Chairman: I am not clear. I have been lobbied already on this. It is a far-reaching issue, but my sister happens to live in the area, which is why I have been lobbied. I am wondering how either of these two models solve the problem of the bilingual schools you now operate.

There are, as you have indicated, three communities where there are unilingual schools, but there are the other three that are now bilingual. Could you maybe explain on each model how you handle the bilingual school issue with regard to who runs the school and how it is dealt with? Perhaps we will start with Mr. Perras and then go to the present model with one change to the legislation.

Mr. Perras: If I understand correctly, you want to know exactly how the three mixed schools work. I did not quite get—

Mr. Chairman: You have mixed schools in three of the single-school communities. If you have a French-language board, who manages those schools? The majority in each of those schools is French, as I recall.

Mr. Perras: Yes.

Mr. Chairman: However, there is a desire in each of those communities to maintain the bilingual nature of the schools. Who runs them? How do you run it if you have the two boards?

Mr. Perras: As Dr. Simpson mentioned, we were 12 French trustees and six anglophones, but we always managed to get along well and at any time to respect and maintain the quality on the two sides. The reason we have three mixed and three French schools is that maybe in the past, the areas which had a higher percentage of francophones had their— It was not easy because the population is not very aware of what education is involved.

Maybe that is why the three mixed schools have stayed as such. People in the Prescott area especially may have been afraid the quality of education would have been different. Maybe my colleagues would have more specific details to add to this.

Mr. Chairman: For instance, would you see a joint management board that would run those schools from the two boards, the anglophone board and the francophone board? Or were you not seeing these schools remaining bilingual or mixed? It seems to me the communities feel fairly strongly about wanting them to stay that way.

Mr. Perras: Okay. Maybe I can add to this. I myself was in favour of the homogeneous francophone board because I believe strongly that it is the only solution for the survival of francophones, even though in Prescott-Russell we are always faced with this assimilation problem which we have to consider.

Also, we have for years wanted to manage our own schools even though Dr. Simpson said that maybe in practice we were in the majority. However, it is more appropriate and normal to have all those and manage our own systems. On the other hand, I would not want to have this done to the detriment of the English population. That is why I too am in favour of maybe a moratorium—be patient—and a task force to be implemented.

This would be the ideal situation because we have been getting along pretty well for 15 years and there is no way, even though I support the homogeneous board, that I would like us to be divided on a linguistic matter or not be getting along as we are right now. That is why a task force is very important at this time.

Mr. Chairman: If there is unanimity at a local level for that, it is something that can be accomplished within the act.

10:40 a.m.

Mr. Myner: With regard to the schools currently, I must admit that in our school structure and boards right now it has not been

entirely discussed as to what would definitely happen to the three mixed schools. I have my personal scenarios, and some other trustees have theirs.

Hawkesbury High School, which is in our largest community in Prescott-Russell, has between 1,100 and 1,200 students, of which only 200 are anglophone. Vankleek Hill High School has a spread of about 55 per cent anglophone, 45 per cent francophone. Plantagenet High School has a spread of about 35 per cent to 65. There has to be a solution found for that.

There is also one section of our county which has no anglophone school, the west end in the Russell area, because the number of anglophone students in the past has been very small. The anglophone population is increasing in that area. We now have something like 160 or 165 students for whom we are buying education from either Carleton or Stormont, Dundas and Glengarry because you cannot set up a secondary school for 160 students; it is impossible. However, the population is growing and we have been discussing this for some time. Before very long, we would have had to consider construction of an English-speaking school in that area because of the population makeup.

The trustees of both boards have to sit down with the population—with parents, community groups and students—to come to grips with that problem. We have not completed that. We do not have any definite solutions yet. We are attacking it.

Mr. Chairman: Thank you. Dr. Simpson.

Dr. Simpson: As I suggested earlier, and I believe I have Mr. Myner's complete approval, there is a possibility for legislative recognition of a francophone's right to govern his educational establishment. The same legislation, in a manner similar to that given to the anglophones in Prescott-Russell in 1969, would require those two groups to sit together and manage the one school in a co-operative manner.

It is recognition of a reality that exists now and does not imply division of those three mixed schools. It is very clear the majority of the population served by them now wish that service to continue, as it represents the milieu of the community it serves.

To support the contention we cannot afford to split our schools any further along either linguistic or religious lines, please turn to the table in appendix 6, where you see listed, by school, groups with fewer than 10 pupils and, further down on the page, groups of 10 to 15 pupils, which simply strengthens the argument.

In our system, we already have 48 small classes of nine students or fewer serving, predominantly, francophones. Any division, be it linguistic or religious, further increases that number of small classes at the school level. It does not mean the management cannot be divided, but the school cannot.

With an additional 169 classes of 10 to 15 students, again the vast majority of them francophone classes, we simply cannot afford, from an educational point of view, to divide those schools any further. A total of 217 classes in six small community schools where the populace requests a public education cannot permit a further division.

The rejection of division by the population is further strengthened when you look at the response to question 6 in that survey, which is appendix 1. In that survey, we gave people four options in our secondary schools.

One was to have the school remain as it is and we would provide a department of religious education in the public secondary school. A second was related to management; we would have a confederate board and leave the school intact and answer the religious question later. Those first two options meant no division of the secondary schools.

The second two options were to give part of the secondary schools to the Catholic board according to Bill 30 or divide our management system along linguistic lines and then discuss religion. Both the third and fourth options implied division of the secondary schools.

When you look at the response to the first two options, of separate school ratepayers, 62 per cent said, "We want the schools to stay intact," a majority favouring a religious department. Again, it was the same for the public ratepayers, 69 per cent of whom said, "We want the school intact," whereas 23 per cent said they wanted it divided.

Those who did not identify their tax support again divided essentially the same way, 65 per cent saying, "Leave the schools together," and 23 per cent saying, "Divide them." Of the various options we offered, division fared lowest and division along linguistic lines was least preferable.

M. Guindon: Je vous félicite pour votre franchise, puis ensuite pour votre mémoire, qui est excellent.

I would like to ask Mr. Perras a question. It is just a clarification point on the three francophone and the three mixed schools: It is my opinion, and tell me if I am wrong, the mixed schools were

mostly to accommodate the demographics of the area, because the population is still 75 per cent francophone. Can I say that safely?

Mr. Perras: Even though the percentage of anglophones is increasing in Russell county, the three mixed schools were mainly for Prescott which, at that time, had the higher population of anglophones. When the three schools in Russell were designated French, we experienced the same scenario, historically.

10:50 a.m.

We had to explain to the population it was not to the disadvantage of the French students because they thought they would always be instructed in French. At that time, Prescott wanted to keep its three anglophone schools, mainly because of the demographic situation.

Mr. Guindon: Is it because of Bill 30 that the children have been protesting or have not felt at ease in the last few days? Is it because they do not understand? Or do they understand too much?

Mr. Perras: We could say it is all of it. First, it is because of the position we took at the last meeting, which was part of not being understood. They panicked a bit on the decision. I want to mention this. One of the reasons we have approved this motion is that it gives us something in common with the other school board. We did not have that before with our coterminous board. This would start the discussion between the two boards.

As was mentioned a few minutes ago, we had not set up any real planning for this. We are all there for the benefit of the students and we have to keep that in mind. That is the reason this motion was also brought forward.

Mr. Pilon: During the past four days I have been meeting with the students of the mixed schools, one school a day starting on Thursday, October 31.

Mr. Chairman: Looking none the worse for wear.

Mr. Pilon: I thanked them because one of my objectives was to meet with the student bodies. In the last few days I managed to meet with most of them in our mixed schools. We spent about an hour and a half explaining Bill 30 and the new Bill 28 that is coming within the French-language board and what have you for Ottawa-Carleton.

The students demonstrated very clearly that they want the maintenance of the status quo. They are having a walkout again today. At the board office we are expecting about 1,600 students. The main purpose is that the three mixed schools want to show solidarity and they

wish to meet with someone from the ministry. We have organized that. We will be meeting with the student councils of the three schools on Friday with M. Jean Comptois to explain it to them again.

Although attempts were made by myself and the chairman to speak to the students, we have 1,000 students who are emotionally involved and are reacting to the homogeneous board concept or the board's adoption of the French-language board. At the same time, they are also reacting to Bill 30. Both are very closely linked within Prescott-Russell because of the population and the religious component. The students are expressing the idea: "Please do not change what is there. We want the maintenance of the status quo."

Dr. Simpson: I would simply strengthen that statement by virtue of the fact that until our board accepted the motion of forming a francophone board, we had been status quo. We had no demonstrations or requests for detailed explanations other than through the normal channels. When I say "normal channels," I mean meetings set up in the schools by parent-teacher associations and that sort of thing.

Now that we have moved from the status quo position, the staff in our schools, rightly or wrongly, is discussing the implications of that with the students as a means of making the parents aware of what these changes might mean—not what they will mean—both in an educational manner and in a social manner. In the educational manner, some of the courses will no longer be available because there will not be enough students, regardless of how you rearrange them, to justify those courses. Second, they will be divided linguistically, and most of them have friends regardless of linguistic affiliation. Many of them would not know their friends' religious affiliations, but they certainly can identify the linguistic affiliations, and that has focused for the first time the division that may occur.

For this demonstration today our director has encouraged, and I think correctly so, that many of those students not be permitted to leave the school to go to the demonstration without a letter of permission from their parents. Although we do not know how that is being policed in our schools this morning, because we are here, I suspect the vast majority of them will be there. When I say "vast majority" I mean they are predicting in the 85 to 90 per cent range of the population from those three mixed schools. Of those, the majori-

ty, at least of the minors, will have letters of permission from their parents to go.

Interjection.

Dr. Simpson: Oh, yes. There is no question about that. We are aware of that possibility. At least many of the parents will not object by either keeping their child home or seeing to it that the child is kept in the school. There will be either written approval or tacit approval by simply saying, "Johnny can do as he likes today." That environment suggests pretty strongly that the adults in the community have to find a way of continuing to manage those mixed schools without dividing the courses and the population.

Mr. Myner: There are a couple of factors I would like to point out at this time. I mentioned before that the board and the coterminous board have not sat down and studied how the structure of each individual school would be managed and so on. We have not done that yet.

However, if I may refer to the article in the *Globe and Mail* yesterday, there is a statement by a student group that, "If the new policies are implemented, the board would have five French-language schools and one English-language school." Somebody has told them this would be it. Who has told them that I do not know, but it is what the students believe at this time.

Another thing is that the students believe this may happen tomorrow or next January or next September, which in our mind is not so. It is past any time to apply a change in structure for the school board until, the way I see it, maybe the next school board election, which is in 1988.

There is a lot of unrest due to a lack of a lot of information, but as Mr. Pilon pointed out, how do you pass information to people, whether they be students or adults, if there are 200, 300, 500 or 600 emotional people in the hall? They just will not listen to what you have to tell them.

So we have to wait until things cool down. We have to get a little bit more direction from Queen's Park, either through legislation or through some method, and then find out to be really able to inform the people adequately with proper information, which is difficult to do right now.

Mr. Chairman: I understand the difficulty of speaking to a raging mob. It has happened to me on a number of occasions.

Are there further questions? I am very cognizant of the fact that we are already half an hour over our normal time and running into other people's time this morning.

11 a.m.

Mr. Allen: I wonder whether I could be reminded of what the Roman Catholic separate school board takeover proposal was and also whether any of the models you envisaged presumed that Bill 30, if it generally applied and legitimated Catholic secondary school boards, would be set aside in your region so there would be no unrest in that quarter over unfulfilled hopes.

Mr. Myner: First, regarding the takeover statement, if you go back to June 12, 1984, when Premier Davis made his statement, I can recall at home the very next day having statements made by members of our coterminous board to the effect that there was no problem. They could take over the three French schools in the west end of the counties tomorrow morning.

Now it is not for me to discuss what their reasoning was and so on. They do what they want. It is their policy. It is their business.

We had been sitting for roughly six months on an inter-board committee to try to set up a joint survey and joint information sessions. Finally, we had to come to grips with the matter in June and say there was no way. There was no progress made at all in the discussions on doing things jointly, even though we represent the same population, technically speaking. In that respect, we had to take a stand.

As for Mr. Allen's question concerning the reflections of the population on what is going to happen if the schools are not Roman Catholic, if we go strictly status quo, in my opinion, it breaks up the system. There are definitely a number of students and parents who will say they want their kids in a Catholic school. As a matter of fact, the coterminous Prescott-Russell Catholic school board is paying outside the counties for more than 80 students this year.

So what are we going to do? Reduce our student population to the point where the rest of the students are not going to have a viable system? I cannot support that. A definite solution has to be reached to maintain the groups in sufficient size without breaking up into four segments or whatever to maintain a viable education for everybody.

Our staff on the French-language school board grouped all the French together, whether they were Catholic or non-Catholic. The Catholics and the non-Catholics get elected school trustees to look after their education and the education of their children. As I mentioned before, it is our hope that the same thing or something similar can be done for the anglophone population. Regroup all the anglophone population together.

Mr. Allen: Is there a private Catholic secondary school in the jurisdiction?

Mr. Myner: No.

Mr. Allen: Do the elementary Catholic schools offer grades 9 and 10?

Mr. Myner: No.

Mr. Allen: There is no secondary offering under the Catholic aegis at all in your jurisdiction?

Mr. Myner: Except for the 80 students for whom the Catholic school board is paying outside the counties in Ottawa, Glengarry, Cornwall or—

Mr. Allen: So there was no implementation plan then in effect?

Mr. Myner: They submitted one implementation plan for the 80 students, which was refused by the planning and implementation commission and refused financing by the ministry. They intend to present another plan at the end of this month for 1986.

Mr. Pilon: Mr. Allen, that was one problem I had when I was meeting with the students. Their question was, "Is the board planning to divide our school in September 1986?" My response would be, judging from the French-language board's resolution, no.

On the other hand, our coterminous board is planning for September 1986 to present its plan. After a few months of negotiations, we finally agreed to have a joint pre-enrolment sheet, which is going to be distributed to our students today or tomorrow.

Therefore, I would have to explain that the response to their enrolment for September may bring forth a change within the school, depending on how many of them want a Catholic education. On one hand, our board is not planning a change, but on the other hand, we may have to negotiate a change, depending on their wishes.

The students kept on saying, "We do not have a vote on this; we have not voted." I said: "Together with your parents, you are having a vote on November 6 or 7. This is an individual response. You will tell us whether you want a Catholic section or not."

On the one hand, we are telling students the board is not dividing. On the other hand, we are saying they are enrolling for possible division. It is extremely difficult for students to understand that with the emotions they are living under.

Dr. Simpson: Let me strengthen the statements made by Mr. Myner. Most of what I was

going to say has been already said by Mr. Myner and Mr. Pilon.

With the exception that the coterminous board is being very strong in this, its position is that it will persuade the planning and implementation commission to provide a forum someplace where they can initiate grade 9 next September.

This is fuelling the flames of unrest where one board is saying, "Yes, we are going to divide your population next fall and we are going to offer programs in 1986." To strengthen that, they have refused to permit our board to survey the grade 8 population in their separate schools.

Mr. Myner: They finally approved that last Thursday evening.

Dr. Simpson: Until now that position has inflamed the desire and the feeling of a need for demonstration against division. Our board has been criticized severely for not forcing every student in our grades 9 or 10 or 11 to respond to their enrolment because they offered essentially an enrolment form in a separate secondary school for grades 10 and 11 next year.

Our board agreed to permit those forms to go out, but the return rate was so low that they are implying that we did not permit proper distribution, or whatever. That again fuels the request that I have made, with the agreement of the representatives of the francophone element, that we need a moratorium imposed by the government for some period of time.

I have suggested four years or maybe two or three or whatever, but some period of time during which two things can happen. The environment can cool off a bit and a process can be put in place so that the public can voice their opinion and be assured they can voice their opinion before something is imposed on them.

Mr. Chairman: Thank you, Dr. Simpson, Mr. Perras, Mr. Myner and Mr. Pilon. I think this is one of the few times that coming to Toronto has seemed safer than staying at home. It is certainly less complicated.

11:10 a.m.

I do not know how long you are planning to stay, a month or two, before you head back, but I would not blame you if you stayed until Christmas.

Mr. Myner: I am running for election next week.

Mr. Chairman: So you have to go back. It must be very exciting. At least for once there will be great interest in the local elections at the municipal and school trustee level, I would think, because of the controversies over there.

As a committee, we do not, of course, have the solutions for you, but it has been an important time for you to come and air the problems here. There are a number of ministry people in the room who are assistants to the minister, so I am sure your requests for a moratorium and some help are at least noted. Thank you very much for taking at the time.

Mr. Myner: I have one last statement, if I may. One thing sure, I must say, is our stand has finally awakened the population.

Mr. Chairman: I think you have caught their attention, Mr. Myner. There is no doubt about it.

Mr. Perras: I would conclude on behalf of the board again with a thank-you for this opportunity.

Mr. Chairman: Our next presenter is Mr. Nedumpara. This is item 862 which has already been distributed. Pardon us for being a little bit late. As you can see, that was a very particular problem that we needed to hear out very fully this morning. Welcome. We have your presentation, so proceed.

RAPPAI J. NEDUMPARA

Mr. Nedumpara: My name is Rappai Nedumpara. I am a private citizen from Mississauga. My views are coming out of my experience as a teacher. Right now I am not teaching, but I have been teaching for about 25 years.

In some Ontario schools, I have taught all Catholic students; in some Quebec schools, I have taught all Protestant students; and also in different schools, I have taught a mixture of both. For quite a few years, I taught in India, in some Catholic schools and also in others. In some Catholic schools, there have been more than 50 per cent non-Catholics, so I have been exposed to quite a variety of students.

Although I am going to support the extension of the funding system, I do not want to be misrepresented or misunderstood to be a very narrow-minded, religious bigot because, of two of the most cherished remarks I remember from my students, one came from a Muslim boy in India and another came from a Jewish girl in a North York secondary school. Since I am very open as far as classification is concerned, under the present systems that exist here in Ontario I must ask for an extension of the school funding. With that remark, let me go to the paper I submitted.

I thank you for giving me this opportunity to present my views on the Ontario government's intention to extend funding to Catholic schools in this province.

The Catholic and non-Catholic teachers are the products of the same teachers' training colleges. They are certified to teach by the same Ministry of Education. They are engaged in doing the same basic functions in two separate institutions, that is, Catholic and public schools.

The only difference is that one tries to do an additional task, namely, to try to develop the moral faculty of the students through religious training. When all the teachers, regardless of where they teach, have so much in common and are comrades at the same art, it is difficult to understand why the teachers and trustees of the public schools cry "wolf" at the increased funding of the Catholic school system.

Are they trying to tell the public that the Catholic school system is inferior to the public school system? Are they hoping to convince us that the education imparted in the Catholic schools is detrimental to the moral, intellectual, emotional and physical development of the students? Are they concerned that the Catholic children, when they grow up, will disprove and discredit what is taught in the public schools? Are they afraid the Catholic students, after their classes are over, will knock down the public school buildings?

If their answer to each of these questions is no, then what else are they afraid of? A nonexistent shadow of an imaginary ghost, a ghost that is out to destroy the public schools and let loose a warfare between Catholics and Protestants?

I will now try to answer some of the criticisms levelled against public funding. With respect to job security of public school teachers, at the start of this controversy some of the public school teachers were legitimately concerned that they might lose jobs. I came up with a solution which would save their jobs and, at the same time, keep the integrity of the separate school system.

I sent my suggestion to a number of important people involved, such as the Ministry of Education, the Ontario Secondary School Teachers' Federation, etc. You will find a copy of this attached to the back of this paper. I suggested surplus teachers from the public schools be given on loan to the Catholic schools until vacancies occurred in the public schools. Mr. Martin Buchanan, then president of the OSSTF, responded very positively.

"I appreciate very much your suggestions regarding the protection of potentially displaced public teachers," he said. "Hopefully, such steps will not be necessary if the politicians at Queen's Park have the moral fortitude not to go forward with the unnecessary proposal," he added.

In the following months, many of the Catholic school boards have come up with plans to hire those surplus teachers, if there are any, and to ensure that they do not lose jobs; so I do not think that job security is any more a cause for genuine concern.

The second criticism is sectarian rivalry. Possible sectarian rivalry was another scarecrow. Right now there are two school systems existing side by side and the taxpayers' money, from Catholics and non-Catholics alike, goes to both these systems up to the grade 10 level. Does it cause or has it ever caused sectarian violence in this province? If we raise that funding to grade 11 level, will it cause sectarian violence? Somebody is dreaming of a shadow boxing.

That only public schools can give quality education is another argument. A few weeks ago, while making a presentation before this committee, someone compared education with fishing. A Protestant church minister, plucking a few words out of context from a reported conversation with Monsignor Coady, said that there are no separate Catholic and Protestant ways of fishing and so, he theorized, there are no Catholic and Protestant ways of educating a child either.

If we could fully agree with him, then we may not need any more schools, any more books, any more laboratories or any more counselling, but we all know that education is more than fishing. It is more than the three Rs. It is more than intellectual pursuit. Education is the developing and drawing out of the full potential of a child. That includes not only his physical abilities and knowledge of the environment needed for fishing, but also his mental, moral and emotional abilities.

You cannot develop anyone's moral standards in a vacuum. They only develop in proportion to one's recognition of his relationship to his Creator and to his fellow men who are deemed his brethren because all have a common Father. Which school system is striving today to teach young people to recognize that relationship?

It is more than 15 years since any public acceptance of the existence of God was shown through a simple common prayer in our public schools in Metro Toronto, to the best of my knowledge right now. In 1968-69, when I used to do supply teaching for different school boards, I recall most schools started the day with the Lord's Prayer. I also remember that Salvation Army officers used to go to an East York school to teach the Bible. But today?

There are lots of communication courses taught in our public schools. How many of these

public schools can claim today that they still give at least two minutes daily to the students to communicate with God, our Creator, or show how to communicate with God, or teach the need to communicate with the Creator? Unfortunately, our public schools first ceased to be Christian, then it turned out to be agnostic, if not atheistic.

Anyone who would like to see young people taught a rational belief in God and inculcate love and respect for God and their fellow men must encourage any school system that undertakes this task.

11:20 a.m.

The next one is fragmentation, or the new word "dismantling" that we hear more often, of the educational system. The opponents of the proposed funding have let loose a scarecrow, dressed up like a dragon, and named it fragmentation or dismantling of the education system. Fragmentation or dismantling means breaking up. They do not explain how the funding will break up the process of educating our people.

Right in front of the Legislature, there are two famous hospitals looking at each other across University Avenue: Mount Sinai on one side and Toronto General Hospital on the other. A few blocks farther east there is another famous hospital, St. Michael's. Since these hospitals came into existence independently of each other and since they are also managed independently, can anyone say that they are causing fragmentation or dismantling of the medical system or of health services? Yet they have their own distinct features.

If you want an abortion, you do not go to St. Michael's. If you want Chinese food, you have to go to Mount Sinai, according to the news report I last had. As long as they are not doing anything to undermine the work of the others, they are not fragmenting the health services of this province.

Recently, the Salvation Army started a new hospital at a cost of \$54 million, \$36 million of which was contributed by the Ontario government. I have not heard any criticism that the government should not have given all that money to the Salvation Army to build that hospital and that, instead, the money should have been given to the city of Scarborough to start a Scarborough General Hospital number 2 or a Scarborough General Hospital, model 1985.

I would like to apply exactly the same logic to the Catholic schools vis-à-vis the public schools. Can any of the opponents of the proposed funding of Catholic schools prove a single instance where the Catholic schools or school boards did anything to undermine the work of the

public schools? How can they say that giving a few more dollars of the Catholic parents' tax money for the education of their children in their schools is causing fragmentation of the educational system or dismantling of public education?

The next complaint was lack of public debate. Some people have criticized former Premier William Davis's announcement to extend the funding as a bombshell. They say there was no public debate on this issue. This is not quite true.

I recall a specific incident in 1970. I was a teacher at Bishop Ryan High School in Hamilton. The Ontario Catholic Students' Federation had organized a mammoth meeting at Maple Leaf Gardens in Toronto to demand that the government extend funding to their schools. Students came from different Catholic schools in Toronto and neighbouring towns.

Later, when Dr. Stuart Smith was the leader of the Ontario Liberal Party and was fighting a provincial election, he publicly committed his party to the principle of extended funding to Catholic schools. In the following years, all political parties considered this issue and agreed upon giving extended funding to Catholic schools.

In my own memory, without doing any research, this issue had been considered by our leaders as well as by the concerned public for at least 14 years before Mr. Davis's announcement, as I have explained, although some others may be able to prove it has been debated over a century or at least several decades. In my humble opinion, the critics who had never heard of the question of extended funding to Catholic schools until June 1984 were having a Rip Van Winkle sleep for at least 14 years. Because of a shortage of time, I do not want to read the little bit of story about Rip Van Winkle. I leave it to you to read if you are interested.

I will go on to the next complaint. Why not help the unemployed with the money proposed for the school funding? An argument someone raised before this committee was that the money proposed for the funding of Catholic schools be utilized for creating employment for the thousands of unemployed.

Since it was an archbishop who raised that argument, I want to remind him of Jesus' words taken from Matthew 26 or Mark 14 or John 12. When Lazarus's sister, Mary of Bethany, was anointing Jesus' feet with pure nard or perfume, Judas Iscariot asked, "Why was not this ointment sold for 300 denarii and the money given to the poor?" Jesus said: "Leave her alone. She has done a beautiful thing to me. For you always

have the poor with you, and whenever you will, you can do good to them; but you will not always have me."

From the time of Adam and Eve, there have been unemployed and underemployed people. We should try to help them, no doubt, but to insist that we should solve completely that issue, which the eminent archbishop had professed so dearly, or any other issue someone else may be cherishing, before we put an end to an injustice which has existed over centuries, is ridiculous.

Do we not all recall critics telling former Prime Minister Pierre Trudeau to solve unemployment before repatriation of the Constitution? If he had bowed down to the critics and put off the patriation issue, would there not be any unemployed person today?

I submit that extended funding to Catholic schools will enable them to introduce certain technical courses they cannot afford today which will reduce unemployment. I also suggest that the opponents of Catholic school funding may use any reputable agency to poll unemployed youth between, say, 18 and 25 years of age with grade 12 education, to determine what percentage of them graduated from Catholic schools and what percentage from public schools. They will then find the benefit the Catholic school system is doing to society at large.

Another question: Should all private schools be given equal funding like Catholic schools? They argue that if you give tax money to Catholics, you are to give it to the Moonies and the Scientologists as well. In terms of the current legal status, there are only two educational systems that are as old as Confederation and recognized in the Constitution: the public school system and the Roman Catholic separate school system. I would like to tell the critics not to foul up the issue by dropping a fly in a banquet hall.

Are Catholics a minority group? Some people have looked down upon this issue as if it were a minuscule minority group making an excessive demand upon the majority, but the truth is that Catholics are not a minority in Canada or in Ontario. In the 1981 census, the Catholic population of Canada was 47 per cent and was shown as the number one religious denomination in Canada. The 1985 figures for Ontario show that out of a population of 9,077,100, Catholics numbered 3,267,756—that is, 36 per cent—the largest single religious denomination in the province. Anglicans number 1,822,125 or 20 per cent and the United Church has nearly 500,000 members.

These Catholics have rights too. They pay taxes just as their neighbour does, whether the latter is a Protestant, non-Christian, agnostic or atheist. Anybody who chooses to complain about the public's tax dollar supporting the Catholic school system will do well to remember Catholics constitute not a tiny but a very significant part of public taxpayers. Catholics must then have just as much right as the rest of the population to decide the type of education needed in this province.

Catholics are not asking any more for a dole-out from their own tax dollars at the mercy of the rest of the club. They are asking to be recognized as partners in the decision-making process in the matter of education. In the name of peaceful coexistence, the Catholics of this province have so long suffered in silence and allowed themselves to be taxed twice for the education of their children. That injustice has to be stopped now.

I now close my submission with an appeal to all men of goodwill to agree to end that time-honoured injustice without any further delay. I also appeal to this committee not to support any unreasonable conditions to funding, suggested by some people in the earlier presentations, that would negate the very purpose of the Catholic school.

Mr. Chairman and members of the committee, I thank you once again for the time you spent listening patiently to me. Are there any questions?

11:30 a.m.

Mr. Chairman: We will see. Thank you, Mr. Nedumpara, for your participation, taking on the various issues raised from time to time and doing it with good humour and good argument as well. We appreciate that very much. Are there questions from the committee members?

Mr. Allen: Just a quick note. Like the chairman, I appreciate the vigour of the argument and the focus on a series of issues that have been raised with regard to the extension of funding. While on the whole I find much of it persuasive, there are a couple of notes that have to be asked about.

You seem to imply in many of your points that the extension of separate school funding will not and cannot effectively have an adverse impact on the public school system. I wonder if you recognize that there are communities in the province where the numbers of students in existing public secondary schools are such that a significant further division of educational forces

would make it very difficult to offer a viable program of studies.

Mr. Nedumpara: I have one answer to that. I was teaching on the north shore of the Gulf of St. Lawrence in Quebec and they are isolated communities. I was teaching actually in a Protestant school with a sense of community backup. It is all under the Quebec government. It is not an elected board as in Montreal or other places. Each school has a population and is allowed to be run according to that religious belief. I was a teacher in a school with all Anglican and United Church children only. The next one in another village was a Catholic school run by nuns and some other Catholics, all Catholics.

If there are situations such as that—and I was listening to the first part of the situation—depending on the type of community and the majority, you can have a religious school, a separate type of school board, which we do not have in place yet, but an administration directly under the ministry rather than being a separate or public school board, a copy from the Quebec system to satisfy the parents or the people of that community. If they have a majority of Catholics, let it be run as a Catholic school and if they are Protestants, let it be run as a public school.

Mr. Allen: It would be a rather more radical move than we are contemplating.

Mr. Nedumpara: Yes.

Mr. Allen: There are areas in northern Ontario where the distances are perhaps so great that it might even be geographically impossible there and under that model of education.

The only other one was about your note about the two public educational systems as the only ones recognized under the existing constitutional arrangement. I wonder if there are not implications in the new Charter of Rights and Freedoms which, granted, might well not have an adverse impact upon the extension of separate school funding into the secondary level, but which might have implications for the offering of such a diverse range of other school offerings as to be serious in their impact on the public system if some other very radical structures were not envisaged to keep it together.

Mr. Nedumpara: That question is perhaps being debated in the courts because it involves the Charter of Rights and Freedoms and rights under Confederation. I will not enter a debate about which is which. I hope there will not be any problem. That is all I can say at the moment.

Mr. Chairman: Any more questions? Mr. Nedumpara, thank you very much for taking the time to come down with your family today and make your presentation.

Mr. Nedumpara: Knowing that you were late, I was rushing through the reading to save time.

Mr. Chairman: You did not need to at all. Thank you very much.

Mr. Nedumpara: Thank you very much.

Mr. Chairman: Our final deputation for the morning is the Catholic Civil Rights League. Please come forward. This is item 863.

CATHOLIC CIVIL RIGHTS LEAGUE

Mr. Phillips: You have the names of two of us.

Mr. Chairman: I gather who Mrs. McLuhan is. I was not sure which of the other two was which, but I thought I had that one picked out fairly well.

Mr. Phillips: Mr. Chairman, I would like to start by saying that Dr. Dooley and I will be reading this report. Mrs. McLuhan will refrain from the reading part of it, but I am sure she will be open to questioning at a later point.

Catholic schools and totalitarian democracy: Two sections of the statement on the role of the Christian family in the modern world, published in 1981 by a thoughtful foreigner, Pope John Paul II, have a bearing on our consideration of funding for Catholic education in Ontario.

First, he said the great task that has to be faced today for the renewal of society is that of recapturing the ultimate meaning of life and its fundamental values. He quoted a statement made by the Second Vatican Council: "Our era needs such wisdom more than bygone ages if the discoveries made by man are to be further humanized, for the future of the world stands in peril unless wiser people are forthcoming. The education of the moral conscience, which makes every human being capable of judging and of discerning the proper ways to achieve self-realization according to his or her original truth, thus becomes a pressing requirement that cannot be renounced."

His other statement concerned the duties and obligations of parents: "The right and duty of parents to give education is essential, since it is connected with the transmission of human life; it is original and primary with regard to the education role of others." In the same section he also said, "The right of parents to choose an

education in conformity with their religious faith must be absolutely guaranteed." It would seem that such a right was conceded to Catholics in Ontario even before Confederation, confirmed by the British North America Act and confirmed again by section 29 of the charter.

The present legal debate seems to turn on whether Catholics have the right to offer secondary education. In the Tiny township case it was decided they did not. Even that decision, ultimately taken by the Privy Council, reversed the very different opinion of the Supreme Court of Canada. However, the case surely did not establish that the provincial government could not extend funding for Catholic secondary schools if it chose to do so.

In Quebec, where the right to denominational school systems has recently been upheld by the courts as entirely consistent with the charter, both Protestant and Catholic school boards offer secondary education as a matter of course without any challenge to their right to do so.

Several other considerations bear upon the present situation:

1. It is often contended that the BNA Act assured Catholics only of a common school, or grade school, education. There has been a major change since 1867, however, in what constitutes common schooling. It is no longer grade school. It is undoubtedly understood in Ontario that every boy and girl with the ability to finish high school should be given the opportunity to do so. The provision of schooling to this level by the province is generally thought to be one of its obligations.

2. It is illogical to have one public system in the province go to grade 13 and the other go only to grade 10.

3. Grade 10 itself is part of secondary schooling. The decision by the provincial government some years ago to extend funding to grade 10 but to end funding, and presumably Catholic education, at that level was both curious and arbitrary.

4. When this extension took place, it caused little controversy. There was no public outcry and no widespread feeling that this measure was going to destroy Ontario's marvellous, much-admired education system.

The present opposition is undoubtedly the creation of a few pressure groups, such as the Ontario Secondary School Teachers' Federation, which have their own political interests in mind and a great deal of money to spend. The OSSTF has conducted an admirably successful public relations campaign, complete with brochures and

half-page ads in major newspapers, but it has had to spend at least \$500,000 to do it.

11:40 a.m.

The handsome binder put out by the Toronto public board must also have cost a small fortune also. Every estimate of the cost to the taxpayer of full funding for Catholic schools runs into the hundreds of millions of dollars. One estimate even hit \$1 billion, because the public boards are used to having money to spend. They would need enormous sums of money to do the work the Catholic boards are going to have to do. However, the Catholic boards have had a long tradition of frugality, and this is not going to disappear quickly.

These are side issues. However, by examining some of the recent criticisms of Catholic education, we can perhaps come to an understanding of what it really does involve. "In a democratic society," said one writer to the newspapers, "there should be only one public school system, one that is free of the biases and bigotry inherent in any religious establishment."

The writer simply lays this down as a law. He cannot demonstrate why this should be so. We might well ask, for example, whether there are any possibilities of bias and bigotry in an irreligious establishment. Surely such an establishment is bound to be biased against religion, which would give Catholics a good reason not to favour it.

Another writer declared that we have reached the point of Orwellian doublespeak since, in the name of fairness, the government wants to extend still further the privileges enjoyed by a special group and, in the name of tolerance and pluralism, it is segregating young people in schools attended only by children of their own religious belief and background. Still others maintain that historical reasons do not apply. In 1867, Christianity was seen as an integral part of schooling. Now, in 1985, it is seen as indoctrination rather than education.

The convictions expressed in these and other letters reveal a widespread assumption that our pluralism makes a truly public system the only possible instrument of tolerance and assimilation.

Such a line of thinking was used by Reg Whitaker, a university professor, in a piece in the *Toronto Globe and Mail* headed, "Rash Act To Aid Catholic Schools?" The extension of funding, he argued, is not a gesture in the direction of religious tolerance and pluralism. Instead, "A strong case can be made that it will have exactly the opposite effect. It will officially entrench a

powerful minority group in an invidious position of special privilege at public expense."

One wonders what this means. How does the proposal entrench anything? Do Catholics not contribute proportionately to the general revenue? Anyway, the underlying reason for Professor Whitaker's antipathy toward separate schools soon becomes clear. They refuse to conform to the prevailing secularism in our society.

Discussing the claims of Ontario Catholics to special treatment, Whitaker writes: "The continued invocation of this right in the late 20th century flies directly in the face of one of the most pronounced trends in Canadian life: the rapidly declining importance of sectarian religious division in the public realm."

"This reckless and foolish proposal is going against the spirit of the Constitution, raising up demons that it would be more prudent to let lie and deepening religious divisions which are difficult to eliminate because they are caused by dogmas in conflict. But most important of all, it seems, is the fact that it contravenes independent liberal thinking. Men and women of liberal sentiments should not be mesmerized by the spectre of religious bigotry into accepting this foolish decision."

Nevertheless, the bigotry is really there. The writer is a dogmatic and bigoted secularist, assuming not only that his own dogma should prevail in Ontario, but that his own dogma should be the only one taught in the province. His liberalism seems totalitarian liberalism, his democracy totalitarian democracy.

Dr. Dooley will continue.

Dr. Dooley: The Catholic notion of education differs from Reg Whitaker's. It also differs from that expounded by the Rev. Bruce McLeod in a column in the *Toronto Star* headed, "Our Publicly Funded Schools No Place To Promote Religion." Catholics are often accused of trying to impose their beliefs on others. Here is another anti-Catholic, a former moderator of the United Church of Canada, trying to impose his own beliefs, or at least present his own position as normative and the only rational position which can be taken in a democratic and pluralistic society.

Here we see a Protestant minister insisting, very curiously, that religion should not be taught in schools. In his column he gives very little sense of knowing what religion is. However, he seems to confine it to ethical values like honesty and gentleness, which is not exactly an ethical value. He says that these are best taught, not in separate classes by instructors in religion but in

all courses, especially literature and history, as the occasion arises. He definitely equates Christian teaching with bigotry and intolerance, seeming to forget that unless one has firm beliefs, one cannot practice tolerance. The word is defined as the disposition to tolerate beliefs, practices, or habits different from one's own.

Unfortunately, Dr. McLeod refuses to admit that theology has a place in our schools. He evidently has not read Newman's *Idea of a University*. It is worth noting that the lectures comprising it are largely derived from Newman's experiences at Oxford as an Anglican clergyman, of the same religious persuasion, in other words, as Archbishop Garnsworthy. As a matter of fact, Owen Chadwick, in his little book on Newman, insists that Newman had not learned anything new about education after he became a Catholic, that it was all derived from his experiences as an Anglican. So much for Archbishop Garnsworthy.

Very early in the first lecture, Newman makes clear that the principles he is talking about have been his profession since long before he became a Catholic. "They may be held by Protestants as well as Catholics," he says. "Nay, there is reason to anticipate that in certain times and places they will be more thoroughly investigated, better understood and held more firmly by Protestants than by ourselves."

He is not talking about religious devotion and practice. This is worth noting. In fact, he emphasizes that theologians often come into conflict with those entrusted with the care of souls. Instead, he is talking about theology as an intellectual discipline.

"Are we to limit our idea of university knowledge by the evidence of our senses?" he asks. "Then we exclude history; by testimony we exclude metaphysics; by abstract reasoning we exclude physics. Is not the being of a God reported to us by testimony, handed down by history, inferred by an inductive process, brought home to us by metaphysical necessity, urged on us by the suggestions of our conscience? It is a truth in the natural order as well as in the supernatural."

In other words, he is contending really that in all education there must be a place for theology, or else something else will move in to fill the vacuum and will pretend to make ultimate claims about the nature of the world, and so forth.

Newman is well aware of and predicts the consequences of the type of thinking which Dr. McLeod uses. He writes: "The religious world, as it is styled, holds, generally speaking, that

religion consists not in knowledge, but in feeling or sentiment. The old Catholic notion, which still lingers in the established church, was that faith was an intellectual act, its object truth and its result knowledge.

"In proportion, as the Lutheran heaven spread, it became fashionable to say that faith was not an acceptance of revealed doctrine, not an act of the intellect, but a feeling, an emotion, an affection, an appetency; and, as this view of faith obtained, so was the connection of faith with truth and knowledge more and more either forgotten or denied."

What Dr. McLeod has forgotten or never knew, and certainly denies, is that religion is something more than sentiment and gentleness, that there is something to be learned about it, and that obviously the beginnings of such a learning can no more be deferred to mature years than can the study of mathematics or history or any of the other components of an education. Newman is talking about university education, but we do not defer to the university years the study of the basics of most intellectual disciplines.

11:50 a.m.

Dr. McLeod is also denying Protestant comments on education, such as those by Milton that the end of learning is to repair the ruins of our first parents by regaining knowing God aright, or the Anglican Hooker writing about the mistakes made by men who come to the study of religious questions without proper instruction, proper methods of inquiry, proper handling of evidence.

Even those who have departed from Christianity, like Matthew Arnold, have often paid tribute to its influence. Arnold praised "the miracles which we all see of her history, the discipline which braces all man's moral powers and founds for him an indispensable basis of character. No words of devotion and admiration can be strong enough to render thanks to these beneficent forces which have so borne forward humanity in its appointed work of coming to the knowledge and possession of itself."

If this is the case and religion disappears from schooling, then what replaces it? What is the basis of ethical concerns, for example?

This is the great work which Dr. McLeod, Professor Whitaker and others like them expect us to abandon. Because of their intolerance, they wish to narrow the circle of knowledge which Newman so eloquently describes, by banishing from it the historic Protestant and Catholic understanding of theology as a respectable subject of inquiry. When professors and ministers are unalterably opposed to having school

children exposed to Christian teaching, the kind of framework which the Pope describes as so necessary for our time, the perspective, for example, which will enable man to use the possibilities given him by modern science in such a way as to bring about the true advancement of the human person is certainly not going to be provided by the public school system. As these people indicate, there is going to be a great deal of opposition to any such place of religion and ethical values in the public school system.

"Whatever the disposition of the current funding debate," Dr. McLeod has written, "publicly funded schools are not the place to inculcate allegiance to a particular faith." Of course, encouragement of allegiance to a faith is one of the objects of a Catholic education, and Catholic educators would undoubtedly take issue with Dr. McLeod on this point. Still, there are some distinctions to be made.

First of all, religion does not settle moral questions, but provides a framework in which they are to be discussed. The Canadian Catholic bishops, in a statement issued in 1973, stressed the obligation of the individual to follow his own conscience. In this emphasis they were entirely in accord with traditional Catholic teaching. To go back to Newman's famous toast, "If I am obliged to bring religion into after-dinner toasts ... I shall drink to the Pope, if you please, but to conscience first and to the Pope afterwards."

If the church cannot compel consciences, certainly the state cannot either. It has no right to enforce an official outlook on life such as Professor Whitaker regards as normative in our society. As Jacques Maritain says in his book, *The Rights of Man*: "The state has a right to punish me if, my conscience being blind, I follow it and commit a criminal act. But in like circumstances the state has not the authority to make me reform the judgement of my conscience, any more than it has the power of imposing upon intellects its own judgement of good and evil, of legislating on divine matters, or of imposing any religious faith whatsoever." That must go as well for any irreligious faith, such as Professor Whitaker's. The state has no reason to enforce that either.

To come back to the indoctrination question, the nature of Catholic teaching is often misunderstood. Again, we would hope there is a place for prayer and devotion in the schools, but there is also a place for instruction. Religious institutions, such as the church and the synagogue, exist primarily for the purpose of doing—for

praying, doing good work, missionary activity and so on. Schools are there for the purpose of knowing, not doing.

Three terms are involved in education: a person teaching, a person taught and knowledge conveyed. It never involves, or should never involve, two terms—A indoctrinates B, A convinces B, A brainwashes B. Of course, there is a mutual instrumentality between knowing and doing; the one affects the other. The Catholic educator undoubtedly hopes his students will integrate knowing and doing together in their own lives. Yet his own function is to pass on knowledge and to develop seekers after truth, no more and no less. It is a nobler ideal than the critics of Catholic education often concede.

Mr. Chairman: Thank you both very much. It is a pleasure to hear the eloquence of Newman and the wonderful style of his fantastic vocabulary. Again, I have not read Newman for a long time. It is so nice to see those quotes. But I get the sense that what we are involved with here is a debate between yourselves and Mr. Whitaker and Dr. McLeod. We should have had them here as well but we will at least send them copies of your document to have a look at because it seems to me you were taking them on rather directly and not so much the actual legislation itself.

Dr. Dooley: It involves the underlying ideas of the legislation.

Mr. Chairman: Absolutely, yes. I was not trying to demean that at all. Also, you are both wonderful readers, I must say. I was very impressed.

Dr. Dooley: Thank you.

Mr. Chairman: Are there questions from committee members on the reasoning?

Mr. Allen: First, my chief response is to wish that many of the critics could have this kind of a document in hand and respond in turn so we could escalate the debate to another level, rather than the hands-off, distant shooting at each other that so often seems to characterize presentations.

Mr. Chairman: The trouble is they would soon be talking over our heads, Mr. Allen.

Mr. Allen: I am not so sure. The question I have frequently tried to put to presenters from the public school side has been whether they recognize that there is a substantial minority with a very significant kind of argument about the nature of education and so on that does stand against their own observations and that does need to be taken seriously. The argument that the public school embraces everybody is not an automatic line to tolerance or any understanding

of that word. There is, just as there was in the middle of the 19th century, a persistence of a divergence of views, whether they are Catholic to Protestant or religious to secular views of education.

Since you have thought a good deal about the issue, I wonder if you could address a few remarks to the importance of diversity and encounter in the context of an educational system and how you view that happening in the context of Catholic education. So much of the argument today lies around the problem of plurality and diversity. There truly is a concern in all of us—I think among yourselves—that the students do not get isolated and that positions and people do not get isolated from each other. How do you respond to that?

Dr. Dooley: That is there; it is all around. You do not have to bring students into a situation of diversity. Consider, for example, the statistics concerning the amount of television they watch. There is very little religious influence in any of their main sources of information—television, radio and the newspapers.

The Catholic Civil Rights League was set up because of complaints about the newspapers that we see every day and the sometimes persistent anti-Catholic bias. There is no reason to go into that now, but I would emphasize that it is extremely difficult to give students a frame of reference which is Catholic in some way and to develop the kind of thinking we are talking about here. The secular world is all around them; they are part of it and they are there.

That is the main line of argument that I would apply. They cannot be sheltered and isolated. They are not in a ghetto; the ghetto does not exist. They all watch the same television programs.

Mr. Allen: So your argument is not in any way an argument of isolation from the pluralism of our society.

Dr. Dooley: It is the necessity to supplement what is there. What I would underline again, in relation to what I have said, is how to get back something in the way of moral values in the ordinary person. I am talking about anybody, not just the Catholics. If the person is largely being flooded with information from television, television does not teach morals. What Arnold talked about was the necessity to discipline the ordinary person in some way—not by beating him to death or anything like that—and to get him to behave as a good citizen, for example.

You may have noticed that more people are going through stop lights and stop signs and so forth. In other words, in many countries there

seems to be a breakdown of public order. There is a whole complex of values which has to be conveyed to people somehow or other.

Mr. Phillips: Speaking personally, Dr. Doolley handled that rather well, but I would like to go back to one point. It has been raised, quite legitimately, that this may have seemed like a dialogue between this group and Archbishop Garnsworthy, Dr. McLeod and Professor Reg Whitaker. We might have had that in mind at one point, but I think it should be recalled that there was a lot of publicity in the newspapers.

They brought the various reports together and gave these comments of Archbishop Garnsworthy and the others a lot of prominence. It was felt that while this was being assembled, at least there should be a counterview or another view expressed. I think this was one of the reasons for it. It was not done deliberately, merely to set up a sort of dialogue.

Mr. Chairman: There has been a very interesting series of papers back and forth. I think that could have made very interesting reading for the long term. Mr. Allen, do you have other questions or is that all?

Mr. Allen: I really wanted a little more information about your organization and whether it is a recently constructed organization or a long-standing group. Do you have chapters around the province?

Dr. Dooley: It was founded just last spring. The main organizer was Professor Keith Cassidy of Guelph, who encountered enormous frustration in complaints to the press council, to the Ontario Human Rights Commission and to other bodies concerning things he regarded as undesirable. For example, there is a play called *Sister Mary Ignatius*, about which he has had views for a long time. That was put on in Ottawa at the National Arts Centre with public funding and so forth. There are things such as that. Here is a newsletter.

Mr. Allen: I think the clerk will give them to all of us.

Dr. Dooley: I have not got enough for all of you, but I can get more.

Mr. Chairman: What are your numbers, Mrs. McLuhan?

Mrs. McLuhan: I am not sure.

Dr. Dooley: The last membership count was 140, I think. Yes.

Mr. Chairman: Here in Ontario only?

Mrs. McLuhan: No. There are chapters across Canada. We started in a very low-key fashion, but we did start here.

Mr. Chairman: Is there anything further you would like to know, Mr. Allen?

Mr. Allen: That is fine, Mr. Chairman.

Mr. Chairman: Any other questioners? If not, thank you very much for a delightful presentation.

The committee recessed at 12:02 p.m.

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- McLuhan, S., Director
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No. S-81

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament

Wednesday, November 6, 1985

Afternoon Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, November 6, 1985

The committee resumed at 2:02 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Mr. Chairman: I call the committee to order. The first deputation this afternoon is from the York region Roman Catholic parents group. Please come forward and take seats in front of me there. This is item 864, for the members.

THE PARENTS OF HIGH SCHOOLS OF THE YORK REGION ROMAN CATHOLIC SEPARATE SCHOOL BOARD

Mr. Higgins: Mr. Chairman, members of the committee, ladies and gentlemen, my name is Vince Higgins and this is Patricia O'Halloran. I would like to thank you for allowing us to be here and also to compliment and congratulate the committee. I have been hearing and reading about it—although I must admit I have not read all of Hansard concerning this committee. I started at it. One thing you have accomplished is you will put to bed the argument that there was not sufficient opportunity to discuss the subject. The subject has been well discussed.

We come to you as a group of parents. I am not an educator or an administrator; I am a businessman, so I am not an expert on the mechanics and the ins and out and intricacies of some of the things you are facing. However, I think it is important that we preface our remarks with an explanation of just why we are here.

I perceive, and I think other people have felt it, that in the discussion of the subject, one of the things that seems to be missing is just why do Roman Catholics want extended funding. What is their motivation? Why are they so anxious to have this? It is in that context that we come to you, more or less asking you to look upon our brief as a window on our hearts, to give you some insight into why we feel strongly about the problem. I hope you will look at our presentation in that context and forgive us if it is more emotional than technical, but that is the reason for it. We want you to know why we are in this position.

This brief was composed by a group of parents, representing all the parents of students

attending the four high schools of the York Region Roman Catholic Separate School Board. We have a genuine interest in and concern for the future of Catholic education in the province.

Some people have hailed Bill 30 as a piece of innovative legislation, while others have held it as the cause of the demise of the provincial Progressive Conservative government. Certainly, no one will deny the controversy it has fostered.

It is not our intention in any way to further or prolong the controversy; rather, we intend to discuss the topic honestly and sincerely from the point of view of concerned parents and taxpayers who will be directly affected by the outcome of these hearings.

York region, as you have heard in other briefs, is developing at a dramatic rate. Educational, medical, transportation and other facilities have been hard pressed to keep up with the demands of our burgeoning population.

We would describe to you briefly here the growth which has taken place in the high schools of the York Region Roman Catholic Separate School Board. The chart we have provided shows the statistical growth of the board but we are unable, in a set of figures, to address the dedication and the commitment of students, teachers and parents which has been instrumental in the development of one of the most rapidly growing school boards in Ontario.

I will not dwell on the numbers, you have seen a lot of statistics, but we have gone from 196 students in 1975 to 4,406 in September 1985. Many of our problems stem from the fact that we are what we would call victims of our own success.

The students attending the York Region Roman Catholic Separate School Board high schools come from a very wide geographical area and varied socioeconomic, ethnic and cultural backgrounds. There is, however, one common thread binding the students together. That is their belief in the teachings of the Roman Catholic faith. As parents of these students and as Catholics, we believe that we have a duty to ensure that the values, beliefs and teachings of the Catholic Church are propagated within the school environment of our children.

We as Catholic parents consider ourselves the "principals" in our children's education, not just the teachers of certain ideals but the "principals" in their overall program of education. We may delegate teachers to help in various fields, to give specialized instruction in everything from arithmetic to swimming, but it is we who must control, guide and ultimately be responsible for the equipment at our children's disposal when they leave the school environment to enter the next phase of their lives.

During the first five years, the child's primary contact is the family unit. Formal education—academic instruction—commences at this point and generally continues through to adulthood. It is our first consideration to ensure that this instruction does not cloud, differ from or ignore in any way the overall plan that we have for our children's character formation, their intellectual growth and the set of moral and spiritual values which will remain with them for life.

Providing for their physical and emotional needs is not enough. We also must guide the ship of their spiritual development until they are sufficiently experienced to take the helm themselves.

For this reason, we support the type of education based on the principle that an overall education not only prepares an individual for a life in this world, but also for a life in the next. The only publicly funded system providing this overall education today is the separate school system.

In this system, we as parents must enjoy and exercise our right and responsibility to keep our views and influence in balance with the government which must finance the system and set academic standards, the church which must guide and counsel, the school board itself which must operate the system, and the teacher who is responsible for imparting knowledge to the individual child, the *raison d'être* for the system. We feel very strongly that we must keep our focus on that particular aspect of the whole system—the children.

This is the justification for the separate school system. Stated simply, it is not just a system of education. It is a way of life. An examination of the philosophy of education of the York Region Roman Catholic Separate School Board serves to reiterate this point, and I quote from it:

"The graduate of our system of Catholic education should be a young adult who has grown through childhood in a child-centred learning continuum, surrounded by an atmosphere of Christian love of God and of neigh-

bour, firmly developed in his knowledge of the Roman Catholic faith, fully instructed in practical knowledge and trained in basic skills to the limit of his individual ability, but who has learned, in addition, the means of discovering the path to that knowledge he will need in the future as a mature adult if he is to lead a happy, holy and concerned life of Christian service for God, his neighbour and his world."

On first reading, it seems a long, convoluted sentence. The more you read it, the better it gets and it makes a lot of sense.

It is true that Catholic education in Ontario has been one of struggle and hardship. Smaller per capita student grants fostered smaller, less adequately equipped schools. Despite the difficulties, the separate school board high schools across the province have continued to survive and statistics demonstrate that in some areas they have flourished. We have set out the development here and I will not dwell on the statistics other than to point out that the growth has been rather dramatic.

2:10 p.m.

Enrolment might have been even higher, but a number of parents were not in a financial position to pay the tuition fee levied for students after grade 10. Through faith, determination, and commitment, however, many parents managed to send their children to the separate high school in their area.

The fee structure, which has increased only gradually over the last few years, will increase dramatically because of escalating costs associated with education. This means that without funding a Catholic education could become limited to a privileged few who could afford the costs. In effect, this would create an elitist educational environment, something which is contrary to our desires and beliefs. We also believe it is contrary to the desires and beliefs of most, if not all, serious people involved in the political process.

For this reason, it was with great joy that we welcomed the decision of William Davis and the provincial government to extend funding beyond grade 10 in the separate school system. We applaud the decision and consider it a necessary and enlightened response to an escalating need.

In 1867, Roman Catholics were guaranteed "certain rights and privileges with respect to denominational schools" as one of the essential conditions which facilitated the creation of a united Canada. Now, "the Roman Catholic separate schools have become a significant part of the school system in Ontario." Both these

statements are part of the preamble to Bill 30 and certainly provide justifiable cause for the extension of funding.

Many of the briefs presented to the committee on social development have expressed serious concerns and reservations about Bill 30. Great expense, duplication of services, teacher unemployment and abrogation of the basic religious and human rights expressed within the Charter of Rights and Freedoms all have been cited as reasons for not extending funding. Because these comments and concerns have garnered so much media attention, we would like to spend a little time expressing our viewpoint on these statements.

No one will deny that there will be an expenditure involved if separate school boards receive funding beyond grade 10. However, it is important to underline that we are talking about only two years. Separate schools already receive funding from junior kindergarten to and including grade 10, a total of 12 years. The Ontario Schools, Intermediate and Senior Divisions curriculum guidelines, the recent Ministry of Education document, discusses the phasing out of grade 13, so we are speaking of funding two additional grades within the existing system.

Many media reports, many comments we have seen and heard, suggest there is a great new system being created out here. However, in terms of change overall, it is not that major. It is a very important change to the people involved because of the necessity in some cases of changing your educational horse in midstream.

In its presentation to the social development committee, the Ontario Secondary School Teachers' Federation recommends that Bill 30 not even be reported to the Legislature. They project a loss of 11,727 secondary school teaching positions by the year 1990. Do they truly expect such a widespread transfer from the public to the separate system? Perhaps this figure actually represents declining enrolment, natural attrition, student drop-out and students who actually do transfer to the separate system.

Statistics can be misquoted, misrepresented and slanted to build a case or make a point.

We are aware that the OSSTF is a teachers' union whose main objective is to guarantee job security for its members. The main objective of our system of education, whether it is public or separate, is not now, nor was it ever, to guarantee employment for teachers. The primary focus of any system of education must be the student.

In addition, we feel Bill 30 has made provisions for teachers who might be displaced

due to a shift of student population. The September 1985 enrolment figures certainly do not bear out the dire predictions of the OSSTF.

I have a personal concern with this point. The original, strong opposition of the OSSTF dealt with teachers' jobs being lost and with displacement. Bill 30 has taken steps to guarantee this will not happen, yet they have not let up on their opposition, which suggests their opposition stems from entirely different reasons. One of them might be that they are going to lose members from their own association. Again, I have no concern with that. It is the student we are worrying about and if one union loses some members, I do not consider that a serious problem.

Whether or not Bill 30 infringes on the Charter of Rights and Freedoms will be a decision arrived at in a court of law. Therefore, we are not in a position to comment on this allegation.

To conclude our presentation, we would like to draw an analogy comparing our view of Catholic education to a triad or triangle. The three components of this triad are home, school and church. Each facet of the child's experience is linked in some way to one part of the triangle. Each part of the triangle depends on the others and acts in conjunction with the others.

The Catholic Church, through its prescribed teachings, dogma, celebrations and sacraments, is the base of the triangle. The Catholic family, by accepting the tenets of the Catholic faith, establishes the mores, ideals and spiritual goals for the Catholic child. When the child becomes a student of a Catholic school, the school has a responsibility to instruct and reinforce what the parents and the church already have established.

The Catholic school not only teaches dogma, doctrine and scriptures, it also provides religious experiences for the student throughout the curriculum. Students are expected to participate in service-oriented co-curricular experiences. They branch out into the community doing volunteer work for senior citizens, handicapped people, hospital patients and residents of group homes in the community at large.

I have been asked personally whether I believe we are going to crank out a better, more solid citizen, more well-adjusted, and so on, in the separate system than in the public system. My answer plainly and simply is "No." I am not sure we can do that, but I honestly do believe that we give that student a slightly better chance. We improve his or her odds by giving them this background.

The link between church, family and school is a strong one in the separate school system, and one which we believe gives our children strength and solace as they enter the adult world. The Catholic school system has survived and blossomed into a progressive, pragmatic and viable system of education in Ontario. We believe that the separate school system in Ontario will survive, and we urge the passing of Bill 30 because we believe our children have an inherent right to complete their last two years of high school in the same environment in which they were fortunate enough to receive their first 10 years of education.

We repeat, Catholic education is a way of life.

Mr. Chairman: Could you let me know what sort of parent organizations there are? Does each of the schools have an active organization?

Mr. Higgins: We have what is known as a parents' guild in each school. I am not quite positive of the state of development of Father Bressani school. It is a brand new school with 196 students approximately. One of the differences in the system is that parent involvement tends to be much greater, and we have a very active ongoing parents' guild in St. Robert, which happens to be the school I am involved with.

Mr. Chairman: How many parents are active in your guild?

Mr. Higgins: In our guild, I would guess we have a membership probably of 200 or 300, but in terms of active members, possibly 30 to 40 people who participate on a very active basis.

Mr. Chairman: Is that the same school you are—

Mrs. O'Halloran: No. I am at the brand new school. My daughter is in her first year of high school there. This year we have set up a steering committee composed of 35 parents. We thought we were too new to set up elections so we are helping to raise funds and do what we can to help the girls.

Mr. Chairman: I understand that in the past there has been a fair fund-raising component to groups of parents in Roman Catholic schools. How did you come together to make the decisions about this brief? Did representatives from each group pull together, or has it been on a more ad hoc basis than that?

Mr. Higgins: I would say "ad hoc" was accurate. Representatives from each school, in general people who have been active in the parents' guild, got together on the initiative of a couple of people and called up principals of other

schools and said, "Who are the parents that are active in your school?" Essentially, we sat down and pulled it together.

Mr. Chairman: You have not made many allusions to the bill itself in your brief. Are you aware of the presentation made to us by your Catholic board, and do you agree with the positions they presented to us as a growth board, and where the public board is going?

Mr. Higgins: Essentially, yes, we do.

2:20 p.m.

Mr. Offer: I want to carry on with what you were saying. York and Peel are unique because both those regions are experiencing growth in the public and separate boards. It seems to me as one who lived at one point in York and now is representing part of Peel—

Mr. Higgins: Why did you leave?

Mr. Offer: Well—

Mr. Chairman: The circumstances under which he was asked to leave are something we really should not discuss.

Mr. Offer: I will get back to you on that one. I will tell you a story.

The concern with respect to teacher displacement is one that has to be taken into consideration in the two growing regions, and certainly in York region, because they probably are not going to have any teacher displacement in the public board because of the growth.

We have heard in a number of prior representations that one of the possible problems is that there is a perceived divisiveness with respect to a child going through the separate school system from the elementary grades to the end of grade 12 or 13, whatever it may be. As parents, I was wondering if you might be able to expand or comment on that.

Do you perceive a divisiveness with respect to that particular child? I do not mean so much in school; I am talking about after school. I am talking about the weekends and when they leave that school, their associations, their friends and what not. As parents, can you give us a further sense of the reality of that criticism?

Mr. Higgins: I appreciate that. As a matter of fact, we discussed that at length when we were discussing the content of this brief. Perhaps Mrs. O'Halloran would like to add to this, but our consensus was that in hockey, tennis, outdoor activities, playing on the street, various activities in the neighbourhood, summer jobs, etc., our children are very much involved and very much an integral part of society as a whole.

I hope they are a little different, because we tried to make them a little different, but they are not a separate entity in society, a separate group off by themselves. They are very much a part of mainstream society. Their friends are Catholic, Jewish, non-Catholic—really quite a homogeneous mixture of people.

I have never felt that separation in the daytime in school was a problem because of that. I would think that boarding schools, etc., might cause that problem. In day-to-day activities, our children have spent a lot of time in the community with students from other schools, and it has not been a problem for us personally.

Mr. Offer: From your experience, this continues from elementary school through to the end of high school?

Mr. Higgins: That has been my experience, yes.

Mrs. O'Halloran: They come into contact with the other students when they play sports. Very often, if they have a job in the community, it is not exclusively Catholic people working in one section and non-Catholics in another. Wherever they are, they are in school for only a certain percentage of the day. Weekends and summers are not spent exclusively with Catholic students.

Mr. Chairman: If there are no other questions, thank you both for taking the time to come and visit with us today.

Our second presenters are from the Hamilton Board of Education; item 865. I have only two names down, so you are going to have to introduce yourselves.

HAMILTON BOARD OF EDUCATION

Mr. Mulholland: I am Ray Mulholland, chairman of the Hamilton Board of Education. On my right is A. J. Krever, director of education of the public school board of Hamilton. On my left is Paul Shewfelt, who is manager of accounting and budget for the board.

First of all, before I start, I hope we will be as brief as possible. I know you have taken on an onerous task, and we in Hamilton appreciate what you are attempting to do. It must be a real ordeal receiving some of these briefs, so I will try to be as brief as possible. I shall be reading from our brief in front of you and I shall be flip-flopping and leaving it; so if I do leave you on page 6 or something, do not be concerned.

The Hamilton Board of Education welcomes the opportunity to present to the standing committee on social development its views on Bill 30. We appreciate and realize that much of

what we say will probably be repetitious, but as a jurisdiction that will be significantly affected by the legislation, we feel it is our duty and responsibility to react to ensure that the well-being of our students and the electorate in our city is maintained.

The Hamilton Board of Education, at a special board meeting held on August 28, 1985, passed the following resolution: "That the Hamilton Board of Education go on record as opposing the extension of full funding to the Roman Catholic school system." This decision was not made lightly. This decision was taken after almost a year of study and discussion of full funding and as a direct result of the release of the proposed Bill 30.

The board has concerns about the inadequacies of this bill that relate to the following: discrimination against staff and students; the creation of two publicly funded parallel systems, which is wasteful and inefficient; the lack of guarantees that public school supporters will not have to pay more for education while receiving less educational opportunity; the lack of guarantees that the Roman Catholic separate schools will be able to offer or will offer a full range of educational programs; the necessity for public school boards to reduce or eliminate programs, and the imminent decline in enrolment in public boards of education.

The Hamilton Board of Education, until the special meeting of August, had not taken a public stand of either a supportive or nonsupportive stance concerning full funding for separate schools. The board had, however, passed the following motions on December 18, 1984:

(a) "That the Hamilton Board of Education work co-operatively with neighbouring boards with respect to the implementation of the new funding policy of the Ministry of Education related to separate schools";

(b) "That future sharing of facilities and programs or transfers of facilities should not (i) reduce present program options in our public schools, (ii) crowd our students";

(c) "That a liaison committee be established composed of the chairman of the board, the director of education and other appropriate personnel."

These motions support the previous actions of the board where co-operation and sharing were major priorities, and this did take place in the city of Hamilton.

Additionally, the following statements were passed by board motion as an inclusion in our impact statement:

"That the planning and implementation commission adopt the principle of universal access for all students to either of the publicly supported school systems and recommend to the Ontario government that this principle be enshrined in legislation. Such access must recognize the choice of a student and/or a parent to attend either school system in the same jurisdiction on request and without condition;

"That the commission recommend to the government on the need for guarantees in legislation that all teaching, administrative and support staff presently within the public school system will have equal opportunity to appointment to and advancement within the publicly owned or funded Roman Catholic school system and that such guarantees will not be conditional upon a time frame established by the government or the separate school system."

2:30 p.m.

This brief attempts to address Bill 30, bearing in mind the intention and priorities as expressed by the motions passed by our board. It is also our purpose to review the bill in relation to the six principles outlined by the Minister Education (Mr. Conway), namely:

1. The need to protect the viability of the public secondary school system;
2. The spirit and letter of the constitutional guarantees that must be made exclusive in provincial legislation for education;
3. The interests of all students in our schools must be first and foremost;
4. No unemployment as a direct result of the policy extending funding;
5. The distinctive mission of the Roman Catholic separate school system must be maintained;
6. Adequate provisions must be made to ensure an orderly and cost-effective transition.

The implementation of Bill 30 does, in our opinion, appear to fall short in some cases of achieving these goals.

At this time, I would like to steer away from the brief. Pages 5 through 16 of the brief review in detail these six principles. I have already introduced Mr. Arnold Krever, our director of education. He is available to address any questions you may have regarding the first five principles. I have also introduced Paul Shewfelt, our accounting and budget person. He is available to discuss the sixth principle if there are questions.

On page 16, we would also like to draw to your attention some specific comments related to sections of Bill 30 in the hope that the committee

will review these very carefully. These are outlined on pages 16 through 21. You possibly had a chance in your busy schedule to look at them. If there are any questions regarding those issues, the gentlemen are here to comply.

When we go to page 21, I would like to make a statement that is not in the brief. It is within the spirit of the brief, but it came about by announcements made by the Treasurer (Mr. Nixon) at a later date. We felt it very important to be included. Before concluding our brief, I would like to refer to funding and a recent statement made by the Treasurer:

"The government expects each of its public sector partners to contribute to efforts to assure taxpayers that their hard-earned dollars are being spent prudently and in an environment of careful planning and good management."

In the absence of any definitive financial information, it would become necessary for boards of education to speculate regarding the impact of Bill 30. We strongly believe more information must be made available so we can objectively evaluate the proposals and contribute to the process. The results of the evaluations could be communicated to the trustees so responses and plans could be formulated to ensure the continued excellence of our program, cost-efficient operations and financial stability for the mutual benefit of the students and the taxpayers.

As you are already aware, there is concern that the additional cost to fund the separate school system will be derived from the financial support currently granted to public schools. Perhaps these concerns are a result of past experiences and may not be founded, but we must refer to past experiences such as the gradual reduction of grant support. In Hamilton, we have experienced a drastic decline in the provincial grant support from 48 per cent in 1975 to 33 per cent in 1985.

Second, the revision of the 1985 grant regulations is very important. They were intended to provide assistance to the public board in the amount of \$720 per student for the September enrolment transfer. An examination of these regulations revealed an adjustment to our regular declining enrolment grant which actually resulted in an estimated net annual loss to the Hamilton board of approximately \$100,000.

Based on these past concerns, there is a need for a greater definition and clarity with respect to the following: the process and compensation for the transfer of facilities or properties; assistance with the retirement of long-term debt payment on existing facilities; financing the cost of maintain-

ing designated or displaced staff on our payroll, including considerations for fringe benefits such as sick leave credits and retirement gratuities; assistance to finance fixed operating costs, which will continue to occur during and after the enrolment shifts; definition of the costs to be considered for nonresident tuition fees to ensure full cost recovery, especially for high-cost programs.

There are still unanswered questions which must be addressed. For example, how will we in Hamilton compensate for the loss of approximately \$1 million in grants if 300 to 500 students transfer from our system, as has been projected? Will our reductions in operating costs and savings in staffing offset this loss in revenue? Will grants be forthcoming or will taxes have to be increased? How will we compensate for a loss of almost \$2 million of revenue due to the potential transfer of local assessment? Will we have to increase our residential taxes? Will pooling of commercial and industrial assessment be introduced, thereby reducing our tax base?

I realize you do not have a copy of that, but tomorrow you will have a copy.

In conclusion, we have attempted to analyse Bill 30 with respect to the local situation in Hamilton and how it affects us. We have not made attempts to generalize about the provincial picture because it is our feeling that not only would this be inappropriate but the conclusions would be questionable.

In reviewing the bill, we attempted to relate to the six principles espoused by the Minister of Education. As indicated, we do have some concerns, especially in the area of lack of guarantees related to the maintenance of the quality education that is being provided by the public boards of education.

The costing of extension and maintenance is an unknown factor. We implore the committee to ensure that the additional costs are not placed upon the shoulders of the local taxpayers through direct property taxation.

Additionally, we have concerns that in order to save dollars, local schools which are viable and which provide an excellent service in our community may have to be sacrificed in order to provide space for an expanded separate school system.

In closing, we thank you for hearing our presentation, and we sincerely hope that we have brought a few new insights to the situation as perceived from the viewpoint of the Board of Education for the City of Hamilton.

Mr. Chairman: There is a lot you have touched on and a lot that you have not mentioned which is already in your brief that members will want to refer to.

Mr. Allen, the member for Hamilton West, wanted me to express to you his concern that he might not make it back in time from a sod-turning having to do with the general hospital, I gather. He had a conflict and hoped he could make it here depending on traffic.

With the indulgence of the committee, he did want me to pursue a matter with you which comes out of Mr. Krever's covering letter to the brief; it concerns the displacement of students that has taken place and the subsequent difficulty around the teachers, some of whom—seven is the latest number we have heard—are still not employed by either board even though those positions are supposed to be guaranteed.

I wonder if you might lead us through what has taken place in Hamilton. I preface that by saying that until about a week ago, when correspondence on this came to Mr. Allen and then to the committee, our understanding was that things were pretty smooth in Hamilton and had been going quite well. These actual numbers are very new to us.

I wonder if you could take us through the process that is supposed to protect the teachers and why it has not protected them up to this point.

Mr. Krever: We have established a tri-board committee: the Wentworth County Board of Education, the Hamilton Board of Education and the Hamilton-Wentworth Roman Catholic Separate School Board. We have had a series of meetings starting approximately a year ago.

Last spring, the three directors were assigned the task by that committee to develop a formula for the transfer of staff. We started working on that formula in April or May. We thought we were very close to an agreement, but at the last meeting, which was held about a month ago, the separate school board indicated it was not supportive of that formula and its implementation.

2:40 p.m.

In the package you have received, I believe it is appendix B, we have shown you the traditional retention rate or the traditional rate of students coming to our system. Over the past five years we have traditionally received 600 to 700 students from the separate school board.

The latest figures, which you do not have, were for September 1985. We received only 259 students. Taking into consideration the number of students who transferred from our board

through their board, and the lack of retention from grade 8 to grade 9, we calculate that we have lost 492 students because of separate school funding. The total decline in Hamilton is approximately 900 students. We feel we can prove beyond a shadow of a doubt that 492 of that total is due to separate school funding. This translates into 27.2 teachers.

Because of attrition we were able to take care of 22 teaching positions. Because of the contract we negotiated, with much difficulty, we added 15 staff. All in all, there are seven teachers who currently have not been given a position. It is our feeling that these seven teachers are now out of a job because of separate school funding.

The separate school board has not recognized any liability for those teachers. Their claim is that they are up only 250 in population. It is our feeling that there has been some drop in decline in their system. The fact they are up only 250 indicates that if it had not been for funding, they would have been down 250, if you take the 492 I was talking about.

The director of the separate school board and myself disagree on the interpretation of the instructions as outlined by the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario. It is his feeling that the first 25 teachers we hired back took care of any obligation. We as a board terminated 70 contracts in May and June. We terminated more than we had to because we wanted to do that for program flexibility. It is Mr. Brennan's claim that the first 25 that we hired back of that 70 takes care of their obligation. As I indicated to you, there are 22 attrition and 15 additional staff, which is 37 there. If it had not been for funding, we would have been hiring about 15 additional teachers.

I have applied to the planning and implementation commission for a ruling. I understand they have been in touch with Mr. Brennan to ask him to react to the figures I have given. I would hope the implementation commission can straighten this situation out quickly.

Mr. Chairman: Thank you. It helps.

Could you take me back to the summer, some time after you had given notice of layoff to the 70 teachers? You have projections of what your enrolment is going to be in the fall. The Roman Catholic board has projections about what it is going to need. Did they suggest they were going to be in need of teachers some time during the summer?

Mr. Krever: One must remember that we were in a strike situation until the end of August. The separate school board approached us in July, indicated it had seven positions and outlined the areas. We discussed it with the federation but because of the strike we had no way to contact the teachers and offer them the jobs. Therefore, we informed the separate school board that at that time we could not enable our teachers to apply for the positions. We also indicated to them that we felt the responsibility by legislation still rested with them for any redundant teachers.

Mr. Chairman: In a letter that Mr. Allen received from the Ontario Secondary School Teachers' Federation local, it asserted it did not learn about the numbers of positions that were going to be available in the Catholic system until September. Are you saying you told them back during the strike period?

Mr. Krever: That statement in the OSSTF letter is incorrect. I was discussing this yesterday with a member of the implementation commission and that member had talked to the OSSTF's chief negotiator during July. They were well aware of the fact that there were seven positions available.

Mr. Chairman: So they did not take any action either to inform their membership?

Mr. Krever: They did not take any action at that time because of the strike situation.

Mr. Chairman: Besides the fact that you have not ironed out a formula between the two boards, is the fact of the strike intervening a major reason this is so late in coming to a head and our becoming aware of it, for instance? How do you explain that?

This is November, after all, and the letters to the commission that I have seen are dated as only the end of October.

Mr. Krever: Because of the strike, the planning for secondary school enrolment was almost impossible. We have never had this difficult a time determining what our needs are. The initial enrolments we had were based upon February option sheets, so we really had no idea how many students we were going to lose, how many were going to come in off the street and so on. Planning this year was a total nightmare.

It was not until September 30 when we got in the final figures that we really had a handle on where we were. It was at that time we were able to do the complete analysis. We hired a significant number of additional staff after the September 30 date to meet our contract obligations.

Mr. Chairman: Is it your understanding of Bill 30 that the Catholic board is responsible for the entire 28, even though you have filled all but seven of those positions?

Mr. Krever: That is my understanding, but right now we are just concerned about the seven.

Mr. Mulholland: According to the figures produced, that is true. Twenty-eight is the number we feel have been displaced through the extension of funding. However, we are concerned only about seven who are out on the street at this time.

Mr. Chairman: Have you any idea what length of time the commission is looking at in trying to resolve this issue?

Mr. Krever: A letter has been addressed to the separate school board asking for a reply by November 8. I would hope that by mid-November we have an interpretation from the planning commission that will be binding on both parties.

Mr. Davis: I have a supplementary question dealing with the redundancy of staff because of the extension of funding.

A number of delegations before us have indicated they have had a number of teaching positions declared surplus. Because of four or five years of pregnancy leaves or leaves for educational purposes, they have been able to assimilate back into the system a large number of teachers, as you have.

The way Bill 30 is written, as I understand it, it states that the coterminous separate board in the Hamilton case would be responsible for 28 teaching positions.

Separate school people who have come before us have said that because you gobble back up 20, they are responsible for only the ones who are not gobbled up. Even with a slippage year, after the second year you could still have a coterminous separate board, as Bill 30 states, responsible for 28 teachers plus whatever kicks out that year. That has not been resolved.

Before we go to clause-by-clause discussion, the planning and implementation commission has to make some kind of direction to us, through consultation with the minister, that even with a slippage year those teachers are either protected or they are not protected. It would help us as we try to create some kind of legislation.

Mr. Chairman: What we might do is ask them to give us their interpretation of that and ask the ministry to give us its suggestions.

Mr. Davis: Maybe using this as an example.

Mr. Chairman: Exactly. When we get to clause-by-clause, we can try to see what we do with the drafting, but we could try to see what their present interpretations are. The ministry is here so it can hear that request is being made.

Who is paying the seven teachers at the moment? What has happened to them?

Mr. Krever: The seven teachers' contracts have been terminated. They are not being paid. They are not teaching. We are trying to give them as much supply work as we can.

2:50 p.m.

Mr. Chairman: At this point they are not necessarily receiving any remuneration at all. They are not on anybody's list.

Mr. Reycraft: I have a couple of questions. First, as a supplementary to the chairman's line of questioning about the enrolment shift, when you prepared your impact statement, what did you project in the way of enrolment loss or shift?

Mr. Krever: I understand we are one of the few boards in the province that surpassed its original estimation.

Mr. Reycraft: Yours is the first one we have heard from where the actual shift has been greater than predicted.

The other question deals with your position stated in the brief on access to and exemption from religious education. Could you comment on what the difference would be between the two systems if that kind of policy, where students were allowed unlimited access to separate secondary schools and unrestricted exemption from religious education studies, became legislation?

Mr. Krever: That is one of the dilemmas the Roman Catholic systems are facing. With unlimited access, there will be a growing tendency for the separate school system to become more and more like the public school system. If you look at studies that have been done in some of the western provinces, they indicate that the two systems are very similar. It is a dichotomy in the legislation that the separate schools are trying to maintain their catholicity and yet the legislation is saying, on the other hand, they must accept any student.

It is my feeling that if a student opts for the separate school, he or she is opting for an environment more than for the Catholic religion per se. If a person wishes to be in that environment or wishes to move to a school that is closer or wishes to go for any program reasons, to force him or her to participate in the religious education program is inappropriate.

Mr. Davis: If there were a non-Catholic student in your system and, for whatever reason, he decided he wished to go over to the separate school, as I understand Bill 30, he would just have to come and ask for permission and he has the right to go. Would you put any barriers in his way?

Mr. Krever: He has the right to go if there is space. The whole concept of space has not been clarified in the bill. What does space mean? Is it space in programs? Is it physical space?

Mr. Davis: They have the right to go if there is space available in the separate school system, but once a transfer of assessment is made that student is responsible to the jurisdiction where the tax dollar is.

You have a public school student who is going to one of your high schools who decides he wants to go down the road to the separate school. I understand that student has to apply through your board, to you, to go. If a student applies to go, will you let him go?

Mr. Krever: At the present time we have been saying no, unless there is a valid reason. In the future, when the legislation goes through, I would see that position shifting.

Mr. Davis: To what?

Mr. Krever: To allowing him to go.

Mr. Davis: What do you consider a valid reason to go?

Mr. Krever: As far as I am concerned, almost any reason. If the parents really believe and want their youngster to go to a separate school, to force him to stay in our system is not going to serve or benefit that youngster.

I really believe the attitude of the parents is one of the main criteria in determining the success of the child in school. If the parents want him to go, I am not going to stand in the way.

Mr. G. I. Miller: I believe the Hamilton board has had surplus facilities. If that is true, have you been able to move them back and forth, to and from the separate system for utilization?

Mr. Mulholland: One very good example is that we were sharing with the separate school system when it first became a reality that we should co-operate and share. Since September, we have been sharing a secondary high school up on the mountain with our separate school counterparts in Hamilton, the lower level being a French school which is shared with the Roman Catholic separate school board. So we are already in the game of sharing. With our tri-board meetings, we have looked at three or four areas. They have been identified. We are

looking at our enrolments for the future, one, two, three and four years down the road, so we can work in a co-operative manner.

Mr. G. I. Miller: Is it working well?

Mr. Mulholland: As your chairman said, he thought it was working quite smoothly in Hamilton. I tend to agree with him. It was, until we got down to the nitty-gritty of who is going to identify what constitutes surplus students.

Mr. Guindon: When was the strike settled in Hamilton?

Mr. Krever: Prior to the opening of school.

Mr. Guindon: Could that be a reason many students went to the separate school system; they feared the strike would last longer?

Mr. Krever: One cannot tell. It may have been. There was uncertainty right through until August whether the strike would be settled, so, yes, it could have been a factor.

Mr. Guindon: Could it also be a factor where the coterminous board did not quite agree or see your point of view on the number of teachers involved in fulfilling its duty?

Mr. Krever: I do not think one should lose sight of the fact that the students the separate school picked up were Roman Catholic students.

Mr. Guindon: I beg your pardon?

Mr. Krever: They were Roman Catholic students.

Mr. Guindon: Sure.

Mr. Krever: They were not Protestant students or non-Catholics transferring. They were Catholic students moving to their own system.

Mr. Guindon: If you had open access and whether it was a separate school or public school which was in a strike position in your area, do you think that would influence students greatly to hop from one system to the other?

Mr. Krever: There is no doubt about it. In a strike situation, students attempt to move to other schools to try to pick up the program. We are finding that now with the Grey and Wellington situations. Whether they would stay in the board they move to depends on many things, such as the diversity of the program that is being offered.

Mr. Reyecraft: As a supplementary to Mr. Guindon's question, did you find many examples of students who had filled out option selection sheets for schools in both systems?

Mr. Krever: To the best of my knowledge, no. We had some students who went to the principals early in the year and said they were

transferring to the separate school, but that was minimal.

I believe approximately 50 to 70 students actually transferred—I do not have the exact figure here—but I do not know of any who filled out double options.

Mr. Reycraft: So the main difference was in increased takeup from—

Mr. Krever: The main difference was in the shortfall from grade 8 to grade 9. Traditionally we would have picked up about 330 to 350 students. This year we picked up only 191. In questioning the separate school director, we discovered the grade 8 population at the separate school was the same in June 1985, within 20 students, as it was in 1984. In 1984, we picked 327 students; this year we picked up only 191.

Mr. Reycraft: If the strike had been a factor, it would seem to me there would have been more of a shift of students from grades 9, 10, 11, etc., than you actually realized.

Mr. Davis: Were the teachers who were declared surplus to your system because of the extension of funding all secondary school teachers?

Mr. Krever: All secondary.

Mr. Davis: So you did not declare any elementary school teachers surplus.

Mr. Krever: We have been in a hiring position in elementary schools for the past three or four years.

Mr. Reycraft: Could you comment on how extensive your continuing adult education program is?

Mr. Krever: It is a very extensive program. I think the numbers are approximately 12,000 but I may be wrong on that. We offer courses during the day; we have classrooms set aside throughout the entire city where we offer a variety of credit and noncredit courses.

We offer the evening school program in four or five different locations. It is a strong program. We have tried to co-ordinate it as much as possible with the Mohawk, McMaster, and Wentworth areas.

3 p.m.

Mr. Reycraft: A little while ago I was in Hamilton at the official opening of St. Charles' Adult Continuing Education Centre, the adult basic education school. Do the services being provided there represent a duplication of services in your system. Could they have received the same service from you?

Mr. Krever: At the present time, no. I think a great deal of credit has to be given to the separate school board. There is a need in the Hamilton area. We have a high nonliteracy rate and they have been able to develop a very fine program.

We have not developed nearly as extensive a program in adult education. We are moving into that, but right now they are filling a need.

Mr. Davis: You mentioned you are moving into that field. One of the concerns Mr. Reycraft expressed was duplication of adult education.

Do you think it would be more appropriate to direct all clients to the particular new school created for that and to develop another program so you share programs and avoid duplication?

Mr. Krever: We have a very close working relationship with the separate school board and the staff working with them on continuing education. Where we want to develop an adult education program is on the mountain. This particular school is in the inner core of the city. We have a trainable-retarded school that will be 75 per cent empty next year. We plan to turn that into an adult centre.

Mr. Chairman: You will not run into duplication of a significant nature in continuing education?

Mr. Mulholland: There has been good co-operation in the past and we have to maintain that. However, at the same time, we wish to protect the interests of our students and our taxpayers.

Mr. Chairman: Would it be useful to have some strong word in the legislation about co-operation so there is not unnecessary duplication? It is a field in which, in most areas, the separate school boards are not involved to the same degree as the public school boards.

Mr. Mulholland: It would be appreciated. Mohawk College seemed for a few years to have strayed away from its mandate and started to get into some of our continuing education programs. There seems to be a need to co-ordinate services for the various school boards.

Mr. Chairman: We have run out of questions. Thank you, Mr. Mulholland and Mr. Krever. Our next presentation is from the OSSTF Superannuation Committee, exhibit 866.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION
SUPERANNUATION COMMITTEE AND
STATUS OF WOMEN COMMITTEE

Mr. Albert: Let me begin by introducing my colleagues. On my left is David Eaton, who has

been here before. He is an executive assistant on our staff. On my right is Al McKellar, chairman of our superannuation committee. To his right is the OSSTF superannuation commissioner, Sally Pengelley.

We think the recommendations in this paper could serve teachers in the province well—all teachers, not just members of OSSTF.

I want to begin by commending the members of the social development committee. I think you have shown considerable sensitivity to the human dimension of the problem involved. This paper deals exclusively with superannuation, but perhaps another day we will come back and debate other issues.

I would like to highlight one of the paragraphs in the introduction, about the middle of the page where we talk about the lack of mobility, limited entry by young teachers, unsatisfactory affirmative action growth potential, diminishing advancement of opportunities.

I would refer the members of the committee to the last two pages of the brief, just to highlight the magnitude of the problem. It is appendix E.

The statistical information is based on last year's data. Let us look at Hamilton: Of 1,013 teachers, there are 150 who are 55 or older, 124 in the next five-year cohort, 220 between 45 and 49 and only 50 who are 30 or younger.

Windsor, with a total of 688 teachers, has 90 teachers 55 or older, 94 between the ages of 50 and 54, 129 between 45 and 49, only eight who are 30 or younger.

In Metropolitan Toronto, the Etobicoke and North York situations are very critical. The Etobicoke figures are quite staggering. It shows the skewed nature of the teaching force in the secondary schools. North York is equally skewed.

3:10 p.m.

The Prince Edward division is a small area but I do not want you to get the impression it is isolated to urban areas. Prince Edward division has 66 teachers. You can see the numbers. There are 11 who 55 or older, 10 who are 50-54 years of age, and 14 who are between the ages of 45 and 49. There were no teachers under the age of 30 last year. Those are perhaps the most telling statistics in terms of the reason we think incentives are necessary.

If you would go to page 2 now in the main body of the brief, I would like to explain the first paragraph. In terms of public information, the Ontario Teachers' Superannuation Commission has no record other than for those who have died, so the data we share with you at the beginning of

this paper are based on that information for almost the last 10 years. If you take a look, for instance, at those first four or five divisions of statistical information, you can see that about 40 per cent of those retiring teachers retired on reduced-service pension.

If you look at the average age you can see that both males and females tend to retire in their 64th year. The other point I would bring to your attention is that four times more women than men retired on reduced-service pensions because they had less service. The discriminatory aspect or the effect on women becomes apparent almost from the beginning.

The first two pages to which I directed the committee dealt with membership data last year. If you go to the information at the bottom of the page, we have used the same source to give you the information upgraded one year to September 1, 1985. Where last year we were talking about a few more than 36,000 members, this year we are talking about 34,908. There is a drop there of about 1,100 and you see the composition of males and females and the average age of males and females.

On the next page, the percentages and the numbers for teachers under the age of 30 and those who are over 55 are given to you. In the case of teachers who are 30 years of age or under, the percentage has decreased from 6.4 per cent to 5.1 per cent. The number has also slipped by about 600. There has also been a bit of a percentage slip in the case of teachers who are 55 years of age or over, the number dropping by about 500. Proportionally, we have actually reduced the number of people under the age of 30 from 6.4 per cent to 5.1 per cent. The problem, even in one year, has become more aggravated.

Item 4(c) gives you information on people who will turn 55 by 1990 and 4(d) gives you an idea of those who will be aged 55 to 65 in 1990 if they do not retire. The most startling figure, I think, is the 6,985 teachers right now who are between the ages 55 and 65, one in five of our present membership.

The number of members with 35 years of teaching service, 44, is there for your information. When we get to item 6 we are back to the data based on September 30, 1984.

Item 7 shows that very few teachers have indicated that they are prepared or planning to retire in the immediate future. And item 7(c) speaks of teachers who already have ten years of credit in the pension plan, slightly fewer than 25,000 teachers and that is why 4,940 is 19 per cent.

We hope the statistics show that significant changes will be needed in the Ontario teachers' superannuation plan if teachers are to be encouraged to retire early.

The last paragraph on page 3 highlights for you that the Ontario Teachers' Federation, the group normally responsible for bargaining in the area of superannuation on behalf of all teachers, is now conducting a biennial review. We hope our discussions are timely and hope that you, too, can make some suggestions to the Ontario Treasurer who is also the treasurer of our superannuation fund and perhaps we can have some of the reduction factors and improvements that we are going to discuss with you today. I have asked David Eaton to do the section on the reduction factors on page 4.

Mr. Eaton: The reason we have these three or four recommendations in this section in dealing with reduction factors is we feel some of these things are acting as a disincentive for teachers who might be seriously looking at retiring and thus bring some relief to a system that has some pressure on it.

The example given on page 4 talks about a teacher at age 57 with 33 years of credit who qualifies for an unreduced allowance. However, if the teacher took one year off that, in other words decided to retire one year earlier, because of the 90 factor the total years would be 88 which doubles the five per cent factor on reduction.

We had an actuarial study done last year and it indicated the 5 per cent reduction could be cut in half. The figure we were given could be anywhere from 2 to 2.5 per cent and we have picked the higher part of that figure.

There is a trend in other provinces to make early retirement more accessible and in the appendix there is a detail of the Canadian Teachers' Federation with regard to pension plans.

It is notable that the contributions that we make to the plan, except for the British Columbia rates that are given by the government, are the highest, yet the teacher must teach longer to qualify for an unreduced allowance. If the teacher does not qualify at that point, the reduction is more severe.

There is an example at the bottom of the page which compares the basic pension and reductions in Alberta, Manitoba and Ontario. It is interesting to note how the reduction hits Ontario and makes a significant impact on the pension and also makes a significant impact, of course, on the teacher who may be thinking about retiring. If we went to a 2.5 per cent reduction at that point, the

Ontario figures would look more like the Alberta figures which are critical to a teacher who is considering that type of retirement.

On page 5 we note Bill 26 in the province of Manitoba. A Manitoba teacher at the age of 55 or older with 10 years of service as a teacher now qualifies for an unreduced allowance. It is our feeling that a teacher who has contributed so many years of service to the Ontario system and has reached the maximum pension entitlement should be permitted to draw a pension on retirement. Obviously, there are examples in other provinces.

The most significant incentive to encourage teachers' retirement in the next 10 years would be elimination of reduction factors for teachers at age 55 or older with 10 years' or more credit in the fund. A temporary provision, because of the pressures of Ontario Schools, Intermediate and Senior Divisions curriculum guidelines and Bill 30 would be useful. Also, because the last two factors would be the result of government policy, such a significant change in the cost charged to consolidated revenue would aid the plan. Because the government policy was a direct cause of these, that request is not unwarranted.

We have four recommendations in this area with regard to reductions and I would like to read them into the record.

1. We recommend the Teachers' Superannuation Act should be amended to change the reduction factor from 5 percent to 2.5 per cent or lower and as I indicated we have two per cent as one of the figures given us.

2. We recommend the Teachers' Superannuation Act should be amended to provide for no reduction for a teacher retiring with 10 years of credit at or after 55 years of age, between now and 1995. Note this is a temporary measure.

3. We recommend the Teachers' Superannuation Act should be amended to permit a teacher with 35 years of credit in the fund to draw an unreduced pension at any age.

4. The cost of eliminating the reductions for retiring prior to the normal retirement age should be charged to consolidated revenue on the basis of the argument that the government policy has caused these changes and it would be a legitimate way to charge off the cost of these.

3:20 p.m.

Mr. Albert: The next section begins by showing the pensions earned for service discrepancy between men and women, and you can see it is quite significant, over \$11,000 service pension for a man and \$6,600 for a woman. The reasons for the differences are explained in the next few

sentences. Part of it has to do with median salary differential and part with length of service.

Since one of the causes for the lower pension is years of credit in the fund, we have to look at major reasons for women interrupting their service. It has to do with pregnancy and child-rearing needs. As teachers and educators, we have long advocated improvements in this particular area. We think they are long overdue.

Figures prepared by our status of women committee show that maternity is the reason given by women in 48 per cent of the cases.

The next paragraph shows what I believe is rather discriminatory in this regard. You can take up to two consecutive years of absence to study and travel, but you can take only six months for an absence for pregnancy or adoption and the six months have to be interspersed by three years between the birth of the children. The woman has to return to teaching for at least 20 days. There is a situation here where, unless the second child was born more than three years apart from the first, the woman does not get the 0.6 credit.

These limitations do not prevail in the Public Service Act, nor do I believe they should continue to exist in the Teachers' Superannuation Act.

To redress the situation, we recommend on page 7 that the Teachers' Superannuation Act be amended to permit teachers who have resigned or taken a leave of absence for infant and/or child care purposes to make contributions to gain credit in the superannuation fund for those periods of time spent raising children under seven years of age. Such contributions should be at the actuarial cost to the fund and should be shared equally by the contributor and the planned sponsor.

To give you an example again of discrimination, take a male and a female and assume they both start teaching at the same time. Take a fairly typical career—31 years of teaching for the male, with two years purchased for credit because of approved study. He ends up with 33 years of credit in the fund. At 58 he retires with 91 factors and an unreduced pension.

Teacher B, a female, with 26 years of teaching, has a break in service of seven years to raise two children. There are 1.2 years that can be purchased as credit, 27.2 plus 58. At the same age, the female is in a position of having an 85.2 factor and is faced with an unreduced pension. That is the reason women's pensions are far behind men's pensions.

The statistics show that 77 per cent of the men who retire qualify for an unreduced service

pension based on those 10 years I indicated to you at the beginning of the paper, while only 53 per cent of women who retired in that period qualified for an unreduced pension. Our argument is that if people are paying for the years of absence in a career that spans 35 years, if two years can be funded and purchased for credit, then why not increase it to five and permit more flexibility?

Our recommendation on page 8 is that the Teachers' Superannuation Act be amended to permit a teacher to purchase up to five years of credit in the fund for leaves of absence or breaks in service for study, travel and sabbatical.

Mr. Eaton: The Nova Scotia government and the Nova Scotia Teachers' Union this year have agreed to a proposal which allows a teacher to purchase a year of pre-employment training for pension purposes. A teacher gains a year towards an unreduced pension and one year of credit for the pension calculation. I might add that that is at final salary.

The proposal is intended to encourage teachers to retire early. This is an innovation from Nova Scotia which is excellent. We think you should consider it. Our recommendation is that the Teachers' Superannuation Act should be amended to allow all certificated teachers to purchase one year of credit for pre-employment training in their year of retirement at any time until 1995.

The issue of portability is a critical one. Although some teachers now entering the profession have taught in other jurisdictions or have worked for employers with the Teachers' Superannuation Commission where there is a reciprocal arrangement, there are very few that predate the 1970s. Many teachers whose employment commenced before the negotiation of these agreements had no option but to take a refund.

If you turn to page 9, you will see we make a couple of recommendations. The general idea is to pick up on an idea of the Teachers' Superannuation Act which permits a former teacher who took a refund to repay those contributions plus interest. Our recommendations 8 and 9 are as follows:

That the Minister of Government Services should be requested to amend the Public Service Superannuation Act by the insertion of a section similar to section 48 of the Teachers' Superannuation Act, which is printed on the page. This recommendation could be implemented at no cost to the government, because the original matching contribution remains in the fund. The teacher in the example we put here took the

refund of his contributions in 1970 and has been earning interest ever since.

At the federal level, I would point out recommendation 9: That the Ontario government join with the OSSTF in requesting the federal government to amend the Public Service Superannuation Act to permit former contributors to repay a refund of contributions for the purpose of the transfer of the credits to another fund. Both of these would be extremely helpful.

On the issue of work experience, a number of items are noted below. It is interesting to note that 60 per cent of all our technical teachers now and 80 per cent of all our commercial vocational teachers would likely be affected by one of the clauses below. We are talking about the Teachers' Superannuation Act and impediments in the regulations which do not allow teachers to buy out.

We talk about the letter of permission, the year not being allowed, the qualification year to teach elementary students, and about people who are not members of the plan while gaining experience required for entry. We cite those there. We mention people who did not or could not take a refund of their contributions and, on page 11, people whose pension plans were not registered in Canada.

When there were teacher shortages, the Ministry of Education went to other areas to recruit for Ontario. These teachers were able to pay into the Ontario teachers' superannuation fund for their teaching experience in whatever country we are talking about. However, the teachers who were recruited from business and industry in this country to meet similar needs are, for the most part, unable to make payments to earn credits in the fund. That would apply for those recruited in the technical and vocational areas from other countries as well.

It is our recommendation that the Teachers' Superannuation Act and/or its regulations be amended to permit a teacher with work experience for which no pension is to be paid to include those years of work experience along with the teacher's age and years of credit when determining eligibility for an unreduced allowance.

3:30 p.m.

Mr. McKellar: During the last round of negotiations for changes in the Teachers' Superannuation Act, one of the most important innovations was the position-sharing proposal. It is meant to be a very positive and progressive measure to encourage full-time teachers to work part-time to create openings for junior teachers. This obviously helps create employment for our

young people. It also helps to introduce appropriate role models for our young people. The teacher was able to pay into the superannuation fund for the time in which the teacher was not teaching.

We have given some statistics here as to the success or otherwise of the position-sharing based on figures as of the end of 1984. We do have a concern that this plan, which really is very good, has not been used as well as it could have been and should have been. We have some recommendations here.

The government favoured this plan; it sponsored it. It was prepared to assist in the financing of it and was promoting it. Unfortunately, we have found some boards have used position-sharing as a bargaining ploy in negotiations and have virtually insisted that teachers give something up in the contract they already have in order for the board to allow any of their teachers to be in a position-sharing scheme.

They have used it as part of management rights. They have considered a discretionary benefit. It certainly has not helped the government and the teachers to implement the plan that had been developed. Our recommendation 11 states that the government should take steps to remove the control of participation in position-sharing from the boards and thus enable a teacher who meets the conditions established for participation to do so.

We have found, in addition, that there have been some problems with the regulation which implemented position-sharing. We would like to bring them to your attention at this stage because they have caused position-sharing not to be as successful as it otherwise might have been.

Position-sharing is the only part of the new act that actually has deadlines. On October 15 and February 15 the boards were to report the names to the commission in order to have them counted in the position-sharing program. Of the 1,900 names the boards forwarded to the commission, 14 per cent of those were rejected by the commission because of board error.

To give you an example, some of them were mailed subsequent to October 15 or February 15. Therefore, teachers who had gone on position-sharing on the understanding they would be able to participate in that scheme and pay into the superannuation commission had their applications rejected by the commission because the boards did not send the information to the commission on time.

One board was so anxious to co-operate that it forwarded the names of its teachers who were

participating to the commission on board letterhead. This was rejected by the commission because the regulation states it had to be on a form approved by the commission.

We have the dilemma of a 1989 termination date for position-sharing. It is rapidly approaching. Some boards, as we indicated, are not participating or allowing their teachers to participate. Also, there is a limit of 1.8 years one can accumulate in this. That is also a hindrance to the success of position-sharing in the longer term.

The minimum period of employment is now 40 per cent. A secondary school teacher has six classes on a regular timetable. Forty per cent of six is between two and three classes, which means that a teacher in a secondary school cannot participate if he teaches less than half time, three classes. We believe it should be changed to 30 per cent to allow a teacher who teaches two out of six to participate in such a scheme.

Our recommendation 12 states that section 14 of the regulation under the Teachers' Superannuation Act should be amended to (a) remove the reporting dates of October 15 and February 15; (b) remove the 1989 termination date and the limitation on the years of credit that a teacher may purchase for position-sharing, and (c) reduce the minimum period of employment in position-sharing from 40 to 30 per cent.

As you can see, the mechanism for position sharing is in place already. We are talking about fine-tuning to make position sharing more effective.

There have been a number of comments about early retirement incentive plans that are in existence right now in the province. We would like to say that boards and teachers who have developed these plans to meet local needs should be commended. They had to do so because the provincial government did not implement the recommendations of the Commission on Declining School Enrolment in Ontario and therefore there was a need to do something at the local level.

Early incentive retirement plans have been developed by a number of boards, and we give the statistics here. On page 14 we indicate three general means of determining the amount the teacher would be paid in order to retire early. Generally, a teacher would be offered a greater incentive to retire earlier and less of an incentive as time went along. In appendix C you will find more specific examples of each of those three plans.

I think it is important that boards recognize, as you can see in the agreements at the bottom of

page 13 and the top of page 14, that there are a number of purposes of having an early retirement incentive plan. There is the age distribution of teachers. In many cases, the reason was that boards wanted to make sure they had sufficient women teachers on staff to provide appropriate role models.

We include as appendix B a report that was put out by the Metropolitan Toronto districts of the Ontario Secondary School Teachers' Federation, which outline the results of a committee that was held jointly with the Metropolitan Toronto School. This report outlines what an early retirement incentive plan is, what the boards and the teachers have agreed on and where their differences are.

We believe at this time, where there is the possibility of a significant number of teachers being declared surplus, at the secondary level in particular because of secondary school funding extension, there is a need for a province-wide plan. We suggest a format for this, using the new supplementary benefits section of the Teachers' Superannuation Act.

We propose that the criteria and the calculations for such a plan be similar to the early retirement incentive plans developed by some boards and their teachers, as we have described. We believe the boards and the province should share the costs and that the money, as under the Teachers' Superannuation Act, would be forwarded to the teachers' superannuation fund. At the top of page 15 we offer some flexibility in how that money could be paid to the teachers.

Recommendation 13 is that the government should develop a supplementary benefit plan open to all members of the Ontario Teachers' Federation and offer to share the cost with the boards as an incentive to boards to establish or improve such plans. We believe this arrangement will enable boards and the provincial government to join forces in offering a truly effective early retirement incentive.

In preparing this brief, we realized that there will be some teachers who are under 55 and therefore not eligible for a pension, who may be declared redundant by their boards because of the separate school funding question. We learned that the Public Service Superannuation Act had been amended in 1984, through Bill 54, to enable contributions to be made to the superannuation fund on behalf of employees "released from employment in the public service by reason of shortage of work or funds" until they qualify for a superannuation allowance.

Again, because this is as a result of a government initiative, we believe the payments should be made by the government.

Therefore, recommendation 14 is that (a) the government amend the Teachers' Superannuation Act to permit payment to be made to the fund on behalf of teachers under 55 who are surplus because of the extension of separate school funding, and (b) that payments should be made to the fund by the government until the teacher is eligible for an unreduced allowance.

3:40 p.m.

As I am sure you are aware, we monitor the teachers' superannuation fund very closely. We are anxious to make sure there is enough money there for us when we retire and that the money is also well invested. We believe the fund is healthy. We have given some statistics in appendix D. We have distributed the 1984 report to contributors.

It is our belief the fund itself can accommodate a number of the recommendations we have made. We believe, as I have indicated, that recommendations 2 and 13 are appropriate for government funding because of government policies.

As we have indicated before, the benefits the teachers of Ontario get from their superannuation plan are behind those of many of the other provinces. Appendix A will help you to understand that. The teachers of Ontario pay more; that is in section (d) of appendix A. We believe the teachers' money in the fund should be used at a time such as this to the advantage of teachers.

Mr. Albert: In conclusion, we have not addressed the issue of mandatory retirement, which is another wild card in the deck. We think government should be prepared to look at incentives realistically. We have to be careful we do not move in two simultaneous directions at once. Perhaps we have given you more food for thought.

We recognize that our brief could have focused on only two or three suggestions, but we wanted to show that some things are done relatively easily, as Mr. McKellar said; it is fine-tuning in some cases. There are a number of incentives. Perhaps to anticipate a question, I say to you quite frankly that the first few recommendations probably permit the largest number of people to retire and to take advantage of the improved situation. The proposal about early retirement incentive plans would also be an inducement that could encourage a lot of early retirements.

We thank you for the opportunity to be here specifically for this issue, an issue in which I know Dr. Allen has indicated some interest and concern from the beginning. If we can be of any further assistance, our office would be pleased to return and to work with the appropriate people.

Mr. Chairman: Mr. Albert, I thank you and your colleagues. I do not want to curtail the committee a great deal in its questioning because I think this is a very helpful brief. I do not think I can overstate how useful it will be to us. We have a notice of motion from Dr. Allen on this matter as to whether we wish to enter a debate on it. We will bring that motion forward the moment we finish the public hearings, whenever that takes place.

Perhaps I might first ask a question and then see how many questions we want to ask. There is a lot of information here. Would it be possible on fairly short notice to call on perhaps two people who are most involved in the commission to be here the day the motion is presented, in case we want to enter into a fuller debate and use your document as a resource?

Mr. Albert: Yes. I do not think there would be any problem.

Mr. Chairman: At this point I will entertain any questions of an information nature. Because of the nature of this document and the fact we have people still waiting to see us today, it might be more appropriate to try to deal with the specific subject all at once at that time. Are there specific questions of an information nature now?

Mr. Davis: I have a quick question. I have not read it all. Does it tell us anywhere how much those proposals are going to cost? I know there is a differentiation between your figures, the ministry's figures and the trustees' figures. To drop down to an 85 factor is about \$480 million the first year. If you cannot give it to me now, you can give it to me at some point.

Mr. McKellar: There are two things. First, we have not been asking for an 85 factor here. You may have noticed that.

Mr. Davis: I noticed that.

Mr. McKellar: Second, there have been some estimates in discussions between the Ontario Teachers' Federation and the Treasury. The estimate submitted by OTF in its presentation to the Treasury was somewhere between \$10 million and \$60 million per year for 15 years, for no reductions for the next 10 years. That is in line with recommendation 2. I believe it has been more specifically honed to about \$40 million per year for 15 years. I do not believe there is much

disagreement between OTF and the Treasury on that figure.

Mr. Allen: I am glad to have a leg on the discussion we are going to have a little later by having this preliminary look at the whole question. It is more than just preliminary in the sense that it is quite an exhaustive study in itself, but it is preliminary in the sense that it helps us begin to think more concretely about the whole proposal, where it might go and what it might cost.

I was going to ask the cost question myself. I wonder whether it is possible for us to secure some costing on portions of the plan as distinct from all of the plan, or of costings of options that are available if this proves not to be the most acceptable route to go. This would be to get a sense of what one plan or approach to this question might cost compared to others. We were given some figures by the ministry at one point that turned out to be totally global, on a for-ever-and-ever-amen kind of basis. That initially scared a lot of people off. It was a totally unrealistic response. We note that New York state has recently gone to an early retirement plan at a cost of somewhere around \$22 million on a time-definite basis for its teachers.

I would like to echo what the chairman said. It would be most helpful for us to look through this, get our thinking caps a bit straight and then have a much longer session with you people and others on this whole issue for a number of hours on end just to get it all sorted out in our minds.

Mr. Chairman: I do not want to presume for the committee because a motion has not been formally placed. There has just been the notice of motion. However, it might be useful if you could try to do a costing of some of the proposals through this. We might ask the ministry to do its own as well so that by the time we actually get ourselves together, we can have a debate as to what the real figures are and the committee can be as well educated about this as possible.

Mr. McKellar: We will try. One of the dilemmas one is always in is that one starts using different assumptions. Rather than get into a debate in public with the Treasury people, we would be quite happy to co-operate in the development of some figures.

Ms. Pengelley: If we have a little time in the future, it might be possible that the data from the Teachers' Superannuation Commission can be made available, much as the data from the Education Relations Commission has been made available. Perhaps there will not be the same discrepancy between the costings. It appears we

will have a good data base by March; that might be too late.

Mr. Chairman: I am thinking about the end of this month or the beginning of next month, whenever we get to that item on the agenda. We might want to call the commission that day as well. Are you telling me that the other commissioners will not have much useful information for us, other than that first line about how many have died?

Ms. Pengelley: I think we will be able to have that program done backwards. We will get the data of that sort that we will need. I mean the major data base upon which all the actuarial assumptions are going to be made. We are doing a new triennial evaluation of the fund that will be completed by March. Soon after that, the commission hopes to take over control of the data base for all kinds of costings.

3:50 p.m.

Mr. Chairman: Given that the Ontario Teachers' Federation is the bargaining agent at the moment, what is the protocol with respect to whom we should be inviting to participate? Can we leave it to you to inform the OTF that we are likely to be doing this, probably before we rise this December, and that if it wishes to participate it should let the clerk or myself know and we will inform it. Otherwise, they can just be part of your party that day.

Mr. Albert: That would be fine. The OTF has copies of our brief. When we took some of this information to the Treasurer in August, we invited OTF people to be with us. I understand there is going to be a lockup tomorrow while we find out about Dr. Shapiro's report. Therefore, I can certainly convey that to the appropriate people.

Mr. Chairman: In case they let you out.

Mr. Albert: In case I get out for the weekend.

Mr. Chairman: Are there any further questions? I do not want you to think you are getting short shrift on this. It is a very helpful document and we look forward to having you back again closer to clause-by-clause on the larger matters.

Mr. Albert: I thank you for your courtesy and I think you are bearing up remarkably well under the mind-numbing circumstances.

Mr. Eaton: I would not dare comment on behalf of the president, but I am sure he will not mind this: If the ministry or the planning and implementation commission wishes to use our actuaries, we would be delighted to supply them.

Mr. Albert: Those estimates cannot be worse than the ones that were alluded to.

Mr. Chairman: I am sure that is true.

The next presenter is Mr. Seberras. It is exhibit 867. I will turn the chair over to Mr. Reville as acting chairman.

RON SEBERRAS

Mr. Seberras: My name is Ron Seberras. I am a concerned citizen. I am a parent of two children, aged three and six. Both my wife and I are products of mixed Roman Catholic and Protestant marriages. I am a teacher at West Humber school. I am in no danger of losing my job because of Bill 30, so that is not why I am here.

My wife and I wrote this report last January for submission to the three other commissions. I guess I am appearing before you because so many of my neighbours urged me to do so. With that brief introduction, I will turn to the report. There is a correction on page 5 in the second-to-last line from the bottom. I believe the Roman Catholic percentage is not 50 per cent but 35 per cent.

The announcement made last June by Premier Davis to extend funding to the separate school system and to establish commissions to study independent schools and funding has generated considerable public debate. Needless to say, the education system of our province is at a crucial turning point in its development that will have far-reaching consequences on our society, children, economy and future generations. With the establishment of the three commissions, citizens of our province have a unique opportunity to provide input in developing the fairest and finest educational system in the world.

As concerned citizens, though, we question the need and expense of maintaining two publicly funded school systems. We regret that preschool friendships are often torn apart when children on the same street attend different schools. We have serious reservations concerning discriminatory, state-financed separate schools and we are naturally apprehensive about the impact religious segregation will ultimately have on our society. Lastly, we care about the health and vitality of the public school system that has openly served all segments of society over the years with top-quality education, a system that has just survived the crisis of declining enrolment.

Therefore, we would like to propose an amalgamation, possibly under a federated superstructure, of the public and separate school systems. We believe such an amalgamation, if

properly implemented, is in the interests of all citizens regardless of which school system they currently support.

Throughout the world, governments are carrying staggering and stifling debts that affect social programs, employment opportunities, interest rates and even the stability of society. Neither the Canadian federal government nor the Ontario provincial government is an exception to this economic malaise. Everywhere in the international community, debt-ridden governments are setting economic priorities and trimming their budgets accordingly.

In Canada, in January, federal politicians were discussing financial cutbacks that, if implemented, would have a dramatic impact on the nation's social programs and provincial transfer payments. Our provincial government must adjust to whatever national initiatives are taken. There is only so much wealth within the nation and province and in these perilous economic times every public expenditure must be weighed carefully and dispassionately.

What are our provincial priorities? Are we more interested in preserving universal health coverage, reducing unemployment, attaining provincial solvency, preserving popular social programs and building a dynamic education system capable of meeting the needs of all citizens, or are we more interested in spending precious tax dollars on a school system that segregates society and favours a specific religious group?

By the end of this decade, 70 per cent of all taxpayers will not have children of school age. They will expect our province to provide an effective education system to meet the social and economic needs of society at a cost-efficient price. Our rapidly ageing population will also be concerned about maintaining top-notch universal health coverage, which is a very expensive service.

We believe our provincial Treasury could save billions of dollars by amalgamating the public and separate school systems. By sending all the children of a neighbourhood to one school instead of two, we would fill classrooms in many schools that are now empty. The more efficient use of partially empty schools would result in surplus school properties. The sale of these properties would go a long way towards making our province solvent again.

In addition, the amalgamation of the public and separate school systems would save significant sums of tax dollars in the form of salaries, because there would be a reduced need for the

number of bureaucrats, principals, caretakers and secretaries. All these savings would give our province the necessary financial flexibility to meet the social needs of our citizens and to continue to provide the excellence in education that is so vital in today's competitive world.

Religious considerations: To satisfy the religious concerns separate school supporters may have about amalgamating the public and separate school systems, it is important to bear in mind that the Education Act already provides for religious instruction in our publicly financed school systems.

In an amalgamated school system, religious classes could be conducted in a variety of ways, depending on the desires of the parties involved. For example, religious instruction might be provided on a rotary basis. Under such a system, all the children of a particular faith would go to one classroom to receive religious instruction from a properly qualified teacher of the same faith. Another system might involve optional, extracurricular classes to be offered on school premises by a recognized church leader. In secondary schools, optional religious courses could be offered on a credit basis. The choice of how to provide religious instruction in the proposed amalgamated system could be negotiated to the satisfaction of all parties.

We do not believe any religious group has a monopoly on virtue. Therefore, teachers who are caring, responsible and capable, regardless of religious affiliation, should be equally qualified to inculcate the children of our multicultural society with the universal values of honesty, responsibility, love, co-operation, mutual respect and tolerance towards others.

Social reasons: In a society as diverse as that in Ontario, it is essential that the education system provide our children with both an atmosphere and an example of mutual tolerance and respect for others. It is doubtful whether religious segregation in our schools will promote this goal. The maintenance of publicly funded separate schools designed exclusively to serve Catholics can only divide society by putting incomprehensible barriers between children who would otherwise prefer to be in the same school. Over a long time, these artificial, pedagogical and social barriers may crystallize to the detriment of all citizens.

If we are serious about promoting the multicultural goal of developing an appreciative, co-operative and interdependent attitude within our pluralistic society, then one public school system is the best route to go. In an amalgamated public

school system, children would be exposed to a variety of classmates and teachers and placed in a position of learning to get along with them. By encouraging children of different backgrounds to enter the same school setting in a tolerant and respectful manner, we would be ensuring a harmonious society in the future, devoid of both racial and religious undercurrents.

4 p.m.

Educational reasons: From an educational point of view, running a dual public school system is difficult to justify. As mentioned earlier, the maintenance of two school systems is a financial drain that siphons off precious tax dollars that could be better spent on modernizing equipment and facilities as well as expanding such programs as French immersion and special education.

Moreover, the larger school enrolments that would result from amalgamating our two publicly financed school systems would benefit students in the following ways: (1) by generating more teachers and students within a particular school, there would be a greater variety of extracurricular activities; (2) the number of split grades would be reduced; (3) most urban communities would have a school within walking distance of students, which would reduce the number of students who at present suffer the disadvantages of being bused and eating lunch at school, and (4) every student would be a part of a classroom that is truly a microcosm of our multicultural society.

There are historical considerations. Separate schools were reluctantly initiated in 1842 in Ontario to protect a fledgling minority. In 1867, Catholic separate schools in Ontario and Protestant separate schools in Quebec were provided for, under section 93 of the British North America Act, as a reciprocal arrangement to facilitate Confederation. However, it is questionable whether Ontario separate schools are a decisive factor in the success of Confederation today. Catholics are certainly not an endangered minority in Ontario since they now make up almost 50 per cent of our population. Indeed, in 1950, the Hope Royal Commission on Education in Ontario recommended that Roman Catholic separate schools be terminated in grade 6.

As far as national unity is concerned, it would seem that today French Canadians outside of Quebec and English Canadians inside Quebec are mainly concerned about being served in their native language. Since Ontario separate schools are not predominantly French-speaking, we contend that they currently do little, if anything,

for national unity. The reality of the situation today is that separate schools in Ontario favour a specific religion at public expense. Where is the social and economic justice in this situation?

President Kennedy stated in a famous speech on June 10, 1963: "Our problems are man-made; therefore they can be solved by man.... No problem of human destiny is beyond human beings. Man's reason and spirit have often solved the seemingly unsolvable, and we believe they can do it again."

It is our hope that the historical controversy surrounding separate schools in Ontario can be solved through amalgamation in the rational manner described by John F. Kennedy. We know the route of amalgamation will not be easy; however, we believe our dual public school system can be integrated in such a way that the needs and fears of separate school supporters are satisfied. We also sincerely believe that amalgamation is in the social, educational, economic and political interests of our province and nation.

The Acting Chairman (Mr. Reville): It is a treat for the committee to have personal views so neatly argued.

Mr. Allen: I suppose the fundamental question that arises with regard to your brief and your central proposal of amalgamation is, how would you do it? I do not mean by that how would you structure it, because all of us can devise fancy rational structures that look good, but given the existing constitutional base of the separate school system, which as one interprets it may be legitimate to grade 8 or grade 10—or it may ultimately be determined as legitimate to grade 13, but forget that point—and given the entrenchment and the legitimacy that gives to that system, can one conceive of this option working?

Mr. Seberras: I believe you can. First, Catholics are not united on this. I know because half of my family is Catholic and half of my wife's family is Catholic. In our family reunions this topic comes up, and they are not united.

First, 25 per cent of Etobicoke public elementary schools are attended by Catholics; so Catholics are not united.

Second, by the end of the decade, 70 per cent of all taxpayers will not have school-age children in the school system; so their interest in this issue will be not as intense.

Third, if I were the Minister of Education, or if I even had a seat in the Legislature, I would feel it was my duty to stand up and talk about what is common sense for this province and what is in the interests of taxpayers and the social interest of this province. You have a lot of rational

arguments to present the case for amalgamating at least the high school years. I realize that by amalgamating the elementary years, you would have to amend the Constitution, and that is very time-consuming.

The problem—and I do not see this with the Catholics—is a political one where, either by accident or by design, each of the three parties has stumbled on to a limb. I do not know if you know how to get off. It would take an incredible amount of backbone to stand up for what is right and not what is convenient.

I can only tell you what I would do if I had a seat in the Legislature. I would stand up and say, "This is in our interests and this is why." I do not think you would have a tremendous uproar from Catholics, because they are a reasonable group of people. I do not think they or the Protestants who are opposing this are bigots.

If you appealed to the common denominators, the pocketbook and social welfare of this province, you would end up having an overwhelming majority supporting at least the amalgamation of the high schools.

Mr. Allen: None-the-less, even with half the Catholics supporting and half opposed, you would have to reckon with a constitutional challenge to the proposal unless that system, as an organized system, were prepared to go along with the proposal. It has not been prepared to do that to date whenever it has been suggested. How do you cope with that?

Mr. Seberras: The issue is complex; it is partly constitutional and partly political. Even if they were to deem it was constitutional to go ahead, that does not mean you have to go ahead.

Mr. Allen: But it means you can be prevented by going ahead in the courts, just as you observe on page 6 that in Quebec there is a movement towards language-based boards. You also have to recognize that the Supreme Court of Quebec recently decided on Bill 3 that it was unconstitutional to move to language boards. You could not displace the Protestant School Board of Greater Montreal on the grounds of section 93 of the British North America Act of 1867. That is the situation we would find ourselves in.

Mr. Seberras: I think you can amalgamate the high school years without altering the Constitution. I also think you would find people in Quebec willing to alter the Constitution, which is a long-drawn-out process. With political statesmanship—which I am sure is present in this room—and integrity, I believe we can eventually amalgamate the whole system. We can definitely

start with grades 9 to 13. It takes honesty with the people of this country.

Thinking back to political situations, a good example is Winston Churchill during the Second World War. People were defeatist in Britain, and if that man had not been around, they might have succumbed to the Nazi tyranny. It is amazing, people will listen to reason. It takes somebody with the gumption and backbone to do it. I believe Catholics and Protestants will accept one school system, definitely on the high school level.

The Acting Chairman: Thank you. Did you have another question?

Mr. Allen: I do not want to get into a one-to-one debate on this, but I asked the question—

The Acting Chairman: You were becoming a little one-to-one. Notwithstanding that, you are going to continue.

Mr. Allen: I had another question on your sense of defining multiculturalism. When our party decided to support this proposal 15 years ago, one of the critical clauses in our resolution was that we respect the principled diversity of our community. One of the principled groups in that diversity was the Catholic community and its desire to have an educational system structured around a particular approach to education, around the central value system.

Our argument was that not to respect that central concern of that community was to fly in the face of the real meaning of multiculturalism. It would be easy for us in the name of a kind of pseudo-multiculturalism to override their and everybody else's real identity in a sort of manufactured identity. What is your sense of what "multicultural" means in terms of maintaining real identity for minorities in our society, especially with respect to education?

4:10 p.m.

Mr. Seberras: First, I have to go on the premise that the state has a duty to provide educational services for the children of this province.

Mr. Allen: On behalf of the parents?

Mr. Seberras: On behalf of the business community and parents. The fact that we are a democracy means we have the duty to provide educational services. I question whether we have the duty to provide religious instruction.

If we are talking about multiculturalism, children are going to learn to get along with each other by being exposed to each other. They are

going to learn to respect other people's differences by being taught by a variety of teachers.

When the separate school issue started up to protect a fledgling minority, this province was merely Protestant and Catholic. That is not the case today, at least not in Toronto. I have had Muslims, Buddhists—all types of religious groups in my classes. They have learned to appreciate their heritage because that is ongoing. That is what we do as public school teachers. They have not been threatened by mixing with the rest of society.

Twenty-five percent of our students are Catholics, and I do not see that they have suffered any spiritual damage by attending a public school. None of our students is spiritually bankrupt.

I do not see how providing separate schools for Catholics can be justified in today's society, which is no longer primarily Protestant with a Catholic minority. We have all types out there, and if you start providing this for the Catholics, I do not know how you can stop it for everyone.

Mr. Allen: You provided an optional model that could provide the very structure in a public umbrella system and that could exist in a parallel way with the existing Catholic public system. The two could have various joint structures which would provide for joint offerings of other specialized subjects. There is a model, one can imagine, even on that base, which allows for both what you are suggesting and what the separate schools are proposing.

Mr. Seberras: I guess what I am trying to say is that I would like to see the children of our province attend school together. I personally believe that religion is a parental duty, but that is a debatable point.

Mr. Allen: Is that debatable, given the United Nations Universal Declaration of Human Rights, which states that parental duty is the first priority with respect to educational decisions?

Mr. Seberras: You can argue it. We could argue it here. Let us even say the school system has a duty to provide religious education. In the Education Act, there is nothing to stop us from inviting priests or rabbis—you name it—into our school system; they can use the facilities there. You would not have to maintain the expensive dual school system. The Catholics would have their educational services. The other groups that are fighting for their educational religious services would also have that option.

We are not into a situation where we are creating a sort of incubator atmosphere for a specific group to go through school rubbing

shoulders with only their own kind for 13 years. You would have a situation where people are mixing together. It would encourage social tolerance to see some children going to deal with their priest, some with their rabbi and whatever.

Socially, economically and from a religious point of view, what I am suggesting here is common sense. I have had many debates about this with aunts, uncles, in-laws and neighbours, and I cannot think of one person I have not won over. This is common sense.

Mr. Allen: I suppose I might also say the same thing in terms of my argument. None the less, would you not agree that in the larger context of our society, most Catholics, even those who have gone through a total Catholic school system, are immersed in a very diverse and pluralistic society in terms of the pattern of their own lives and that existing separate schools represent large numbers of very diverse groups in terms of language and ethnic background and what have you? The principle you are talking about, although it may be slightly abridged at the religious point, is none the less very present for those people.

Mr. Seberras: I agree with you that they are going to be in classrooms with a multitude of races and possibly even various language groups, but I believe isolating a group of people to attend a separate school creates a false sense of spiritual superiority in many, if not the majority, because it is such an incubator atmosphere. I say that because I have encountered it.

There was a man here earlier who talked about the school system as their way of life; it is their faith, and they have to have this. What is wrong with somebody who may be an atheist or a Muslim rubbing shoulders with his kids or teaching his kids? We are talking about universal values. We are not talking religious dogma. If he wants to inculcate his students with Roman Catholic faith, that is his business. That does not mean it is right. In his mind it is right.

If you look through history, there have been more disputes over religion. We are making a very serious error by promoting religious instruction in separate schools or private schools or whatever the case may be. We are playing with a time bomb because you get everybody thinking they are right and everyone else is wrong: "My faith is the true faith; everyone else is a heretic." Eventually that builds up over time, feelings crystallize and we are playing with fire.

Mr. Henderson: The comment you just made about religion seems to me to be pretty much characteristic of religions; that is, that each religion postulates itself to have some kind of

partial or complete hold on the truth. I suppose the question you are posing is, do we want that assumption also carried over into our general education streams?

The Acting Chairman: Excuse me, Mr. Henderson; could you lean into the microphone so that we can record you for posterity?

Mr. Henderson: It seems to me the question the gentleman poses is whether the inclination of most organized religions to assume themselves to have a cornerstone, partial or complete, on the truth ought also to be extended to the general education system.

It occurs to me to reflect on the question as being one of timing. I do not find that I have too much difficulty in some ways with the points of view you argued. I wonder, if we were to respond to that, whether we would be responding to the will of most parents or if most parents are not a little bit behind you in the level of ecumenism they are prepared to embrace in the education system.

4:20 p.m.

Mr. Seberras: To answer your question, I am going to ask each of you to look at what your duty is. As representatives of your ridings, you have many diverse interests to represent, but I suspect that in each of your hearts you want to do what is right for this province. You would like to make decisions that would make this province a better place to live, both today and tomorrow.

Dogma is the word that the man used earlier; there is communist dogma, Roman Catholic dogma, whatever type of dogma you want. Dogma to me indicates a bit of irrationality. Do you want to teach young children all the way through the school system to think they are right and everyone else is wrong? That is the impression I get from separate school teachers who are friends, and that is the impression I got from talking to relatives of mine who have attended the separate school system. I think it is wrong for you, or for anybody or any state, to promote that type of religious indoctrination in any segregated school system that is publicly financed.

Mr. Henderson: I could not agree more. I must say, like Mr. Allen, I do not want to become involved in any one-to-one dialogues despite the temptation to do so. I assure you we are not interested in promoting dogma. But in addition to the mandate you have defined of our having to satisfy ourselves and our conscience that we are doing the right thing, we have a mandate to be responsive to the will of our constituents and, to

some degree, reflect their views in our deliberations and decisions.

Mr. Seberras: To answer your question, I can only tell you what I would do if I were in your shoes. I believe public opinion can be moulded; I have seen occasions where great leaders have moulded the public opinion. I cited the example earlier of Winston Churchill; I can cite the example of President Kennedy during the 1960s when he was dealing with that touchy issue of race problems.

Ontario citizens are rational people and will appeal to the rational approach to this issue. I come from a mixed family. I know Catholics are not so closed-minded that they will shut themselves off from this type of thing. You may have the odd person or even a lot of people, but not a great percentage of the population, who will argue with this kind of rational approach.

I do not know how you can argue with it. The state has a duty to provide education, we are giving you options with religion and we are being fair to everyone. It will save you a lot of money; it will make our province a better place socially. How can you argue with those things?

Mr. Henderson: It is nice to hear somebody speak to us who argues from an altruistic position; that is refreshing.

The Acting Chairman: Thank you for coming before us today.

Mr. Seberras: I have six questions which I would like to pose. I do not really care whether or not you answer them but, if nothing else, I would like for you possibly to think about them.

Other than the fact that the British North America Act provides for separate schools, what rational reasons can you offer for forging ahead with the extension of funding to the senior grades of separate high schools? That is the first line of defence I hear from colleagues and fellow citizens who happen to support the Catholic school system. When they get in a corner, they say it is in the BNA Act. By that, we probably could do what the Hope commission said and still be within the bounds of the British North America Act, and amalgamate the school systems to grade 6.

Does anybody care to answer that? I think I know the answer. I leave it to you.

The Acting Chairman: The committee structure is not set up to answer specific questions but, if you would like to put them into the record, I would be happy for them to be there.

Mr. Seberras: Is it socially wise for our government to religiously segregate school-aged

children for educational purposes when such segregation may lead to significant numbers of separate school students developing a false sense of spiritual superiority in relation to other religious groups?

Since the religious courses taught in separate schools concentrate on propagating the dogmas and prejudices of one religion, would you consider these courses educational or a mere indoctrination of the kind practised in countries like the Soviet Union? By that, I mean that, as a teacher, I think we owe it to kids to teach them to think. I do not think it is going to harm anybody to be exposed to other theories. Simply to indoctrinate people with one set of values or outlook on life is not educational.

By providing publicly funded schools for the indoctrination of one and only one church's religious views, have we not created a state church for this province and is this wise in a democratic society such as ours?

Why are separate school supporters so adamant about educationally segregating their children from the mainstream of society?

Why is it necessary to extend funding to senior grades of separate high schools, since the students who attend these grades are between 16 and 19 years of age? I would think that the need to shield them from the so-called non-Catholic influences of the real world would no longer exist at that age.

The Acting Chairman: That is a series of provocative questions. I am almost afraid you have provoked a member of the committee to respond but I am hoping not, given the amount of time that has elapsed—

Mr. Bernier: I will not say a word.

The Acting Chairman: —and the fact that we are now behind time for our next two people.

Mr. Seberras: If I may say one thing more before I go, I would like to thank you for listening to me and providing that opportunity.

The Acting Chairman: Thank you very much. The next deputation is Mr. Scanga and the document is exhibit 868. Would you make yourself comfortable and take us through your brief?

ANTHONY RICHARD SCANGA

Mr. Scanga: Honourable members of this committee, this presentation, entitled A Different Understanding, is my personal response to Bill 30 regarding the extension of government funding to our separate school system. This must

be teachers' day because the other speaker was a teacher too.

I am a public secondary school teacher who has taught in the public system for 10 years. I also have taught in the separate and private school systems across Ontario and Canada. Hence, I have had experience in all three different school systems.

I am appearing before this committee because of my genuine concern for the education of our young people. This committee has heard many similar concerns. Today I challenge and I question the authenticity of these concerns with regard to equality and quality of education in Ontario.

I challenge the intent of the Coalition for Public Education. I challenge my own teachers' federation, the Ontario Secondary School Teachers' Federation, to be professional educators by being creative animators in education. I challenge the Ontario English and French Catholic teachers' associations to be truly distinctive as Catholic teachers.

I challenge the leadership of our public and separate school administrators to demonstrate effective leadership and problem-solving skills to achieve quality of education for all children, rather than being preoccupied with a power-control struggle and the wasting of taxpayers' money to fund opposition to Bill 30.

Moreover, I challenge each of you on this committee to safeguard the educational rights of our children and their parents and the heritage and the spirit of the British North America Act of 1867. "Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law."

Thus, I will address in my challenges: (1) the shortcomings of our teachers' federations; (2) the shortcomings of our administrators in our public and separate systems; (3) the shortcomings of Bill 30, and (4) the expectations of this standing committee.

The shortcomings of teachers' federations: This committee has heard many presentations from various teachers and teachers' groups. You have heard about issues such as job redundancy, duplication of services, discriminatory hiring practices and open access for students and teachers. On Saturday, November 2, a rally was held outside this building expressing these sentiments.

Last Friday, in my mailbox at school, I received three flyers. I did not attach them because I gave them to the clerk to distribute.

These three flyers were put in my mailbox Friday morning. In my personal opinion, these concerns are simply a smokescreen to the real concerns of job security and control of vested interest, not of quality of education and equality of opportunity.

If Bill 30 receives the approval of the Ontario Court of Appeal and is passed by this government it means that for the first time in Ontario's educational history, government-funded education for our children will be competitive. This means some of our teachers in our classrooms have to be a little more attentive and responsive to the needs of their students.

I cannot accept the slogan "Preserve Public Education" as there are so many shortcomings in our present system. However, there are many dedicated and committed secondary school teachers who give of themselves daily, in and outside the classroom, and students who are fortunate enough to have such teachers will not transfer to another system unless their personal and program needs are not being met.

Moreover, this fear of job redundancy has nothing to do with granting separate school extension. Our federations are not considering the prime fact that our school population is declining. The baby boom is over. It is interesting that in the 1971 provincial election, the issue of separate school funding was not a prime concern of our federations as there was a surplus of teaching positions in Ontario.

4:30 p.m.

The social value in Ontario has changed. Having a family is not important. Yet the Catholic school population continues to grow steadily in our communities as a result of a different value system. Moreover, parents and students perceive a different approach to learning that is not available in the public system. In my experience, it is the activities and attitudes in our classrooms and schools that give credence to its character.

I would have preferred to see my own federation demonstrate creative leadership in our public education system in responding to the variety of unaddressed educational needs in our communities, such as high unemployment among young people, poverty in our cities, job displacement, child abuse, single parents, heritage programs, care of our senior citizens, pornography, teenage prostitution, racism, nuclear disarmament—the list goes on. We talk a great deal about excellence in education, but excellence demands involvement and our classrooms can no longer be isolated learning environments outside the real world of life.

We are aware of these needs and concerns. Our federations have hundreds of policy papers which address these needs. Involvement here demands a positive relationship. It demands a working and sharing relationship with our boards of education. Yet during collective bargaining, an adversary role has been taken by both sides. Program needs in our public school system have been sacrificed because of seniority rights and staffing allocations. Collective negotiating committees of teachers and boards have failed to cope with the problem of declining enrolment and program needs. However, it is a welcome sign to see that my federation and the public boards of education in Ontario have worked so well together in opposing Bill 30. I question the hidden agenda for both parties. I wonder if job security and political control are the motivating factors for each party.

Tax increases and duplication of services are favourite political gimmicks to get our communities upset. Our school population is declining and over 75 per cent of our educational budget is allocated for teachers' and administrative salaries. Our present educational facilities are being underutilized. Yet, we are concerned about tax increases? Something is seriously wrong in the logic.

Discriminating hiring practices is another nonissue in this debate. Why would a non-Catholic teacher who does not support the philosophy of Roman Catholic education apply for a position in a Catholic school? Would a Liberal apply for the leadership of the Progressive Conservative Party?

Mr. Chairman: It is possible.

Mr. Scanga: Maybe.

Mr. Davis: We would not take him.

Mr. Scanga: Okay, gentlemen. It is my time. You will have it later.

In the past, the Catholic private high school system has not denied access to non-Catholic teachers or students. In most cases, the non-Catholic has enriched the ecumenical spirit, and the only requirement that the Catholic system would expect and should demand is the support of these individuals in reference to the curriculum, the attitude and the character of the system.

When I was a student at De La Salle College up the street here, the Christian brothers never made religion the sole criterion in their selection of staff. The brothers demanded quality teaching and a commitment by their teachers. In many cases, the non-Catholic teacher on staff challenges the Catholic community to live up to its distinctive character.

The legislation of Bill 30 protects the interests of many non-Catholic teachers to protect job security. Where else in our society does a government protect job security when a job will not exist or because of the competitive nature of the system? The United Auto Workers also should look to this government for job security because Honda and Pony have taken the marketplace in the automotive industry or because of the issue of free trade that we are talking about. The secondary school teachers of this province should appreciate this safeguard in this bill.

On the other hand, should not our teaching federation groups look for means and ways to seek out alternative forms of employment for their members? Bill 82, which provides educational opportunities for exceptional students, should be an impetus to provide alternative job opportunities. Our federations and public school boards should be looking at this possibility and other community issues. The educational system of Ontario should no longer be a 10-month operation, 8:30 a.m. to 3:30 p.m., Monday to Friday.

Let us be creative to the challenging nature of education for the 21st century. We are not living in the 1850s, the era of Egerton Ryerson who sought a school system controlled by the government. We may have to adapt to a different understanding about education. Bigness does not promote equality or quality. Maybe Schumacher's theory of "small is beautiful" should be our starting point. Ontario education was founded on the one-room school house, and we may have to go back to our roots to understand ourselves.

Our federations rally at the cry for one unified school board, but are they willing to have one united federation, a college of teachers rather than five independent groups? You will hear a different story from them. The vested interests of all the involved parties are hidden in the rally to preserve public education.

My criticisms of our federations do not exclude our English and French Catholic teachers' federations. The character and dignity of Catholic education demands active involvement in and outside the classroom. There is a tendency to become smug and complacent. I have seen Catholic teachers who have become very materialistic and unchristian in their outlook to life. A religious education course and a letter from a priest should not be the only criterion for being a Catholic teacher. I would rather have a non-Catholic teacher who professes and lives the Christian way of life teach my children than a wishy-washy Catholic in name only.

There has to be leadership from these two federations, demonstrating co-operation and the wellbeing in the nature of Catholic education. The prime concern of the Catholic teachers' federations should go beyond the concern for job security and its control of leadership. They should not simply preach Archbishop Pocock's view of Catholic education, but practise it wholeheartedly in the classroom.

How Catholic are our educators in our separate system? Do they really believe in the Catholic way of life? Are they Christ-like as teachers in the classroom? Do our Catholic teachers feel a little uncomfortable with these questions? Bill 30 now forces the Catholic school system to look at a global approach to learning; not simply at the academically successful students, but at how it should embrace all levels—basic, general and advanced.

In the basic and general level programs in particular, students need the understanding of the whole person to teach them goodness, knowledge and discipline. Are Catholic teachers willing to accept these challenges? Such concerns should be the mandate of the Ontario English and French Catholic teachers' federations. Unless Catholic teachers accept these challenges and demonstrate a genuine concern for Catholic education, will this system be truly distinctive and separate?

I have presented a series of reactions given by our teaching federations. I would hope you can see how these issues are hiding the reality of the truth.

In the past few years, Ontario has witnessed a growth of private, independent Christian schools. Parents are willing to pay the extra expense for the wellbeing of their children because our present public and separate systems have eroded their foundations based upon Judeo-Christian principles.

These systems have replaced beliefs with a materialistic and secular approach to life. Why are we afraid to say the Lord's Prayer in our public schools? Some of our secondary school teachers are not willing to come to grips with this issue. As a result, faith perceptions are replaced with a multicultural awareness. I believe that the majority of the people of Ontario would prefer an education system that would speak freely about God and His manifestations to all peoples, regardless of religion or creed.

I would encourage our teachers' representatives to learn the spirit of co-operation and not of opposition. Teachers could respond to a variety of needs in our communities to secure teaching

jobs. Let us be creative and search out the means and ways. Let us truly be educators to lead others to a sharing and caring society.

My second point deals with the shortcomings of the public and separate school administrators and trustees.

It would be relatively easy to criticize teachers for their failures. The real failure is the lack of leadership given by our directors of education and the trustees on both boards of education. In my opinion, these leaders have failed to be problem-solvers, to be responsive to the needs in their communities, to be co-operative in the sharing of resources and personnel and, especially, to respond positively to the challenges of Bill 30.

4:40 p.m.

Since Mr. Davis's June 1984 announcement regarding the extension of the separate school system, some of our separate boards began an empire-building crusade. "What schools can we take over?" Our public boards took a protectionist stand. "We will not give up any schools, whatever the cost." It is easy to see why the implementation of extension has become such a divisive issue in our communities.

Our educational leaders have their vested interests at stake. Political power and control are the prime concern.

Consider this interesting situation in Essex county. The trustees and administrators did not want a French-language secondary school. It took a provincial cabinet decision to legislate the establishment of a French school to safeguard the interests of our French community.

When extended funding was announced, Essex separate board came along in its greedy manner of selecting key high schools in the area and claimed control over Essor Secondary School. Suddenly Essex public board demanded ownership of a school that it never wanted in the first place.

The handling of the implementation of extension by our elected trustees and administrators has put all the issues out of focus. There are many examples of this type of backward leadership throughout the province. Lack of co-operation, poor communication and a general stubbornness by some of our educational leaders in both systems are the only reasons quality education cannot be offered to our young people.

The intent of this legislation was simply to complete an existing school system, not create a new system. The legislation is fulfilling to Catholic parents and students their guaranteed educational rights established in 1867. The

financial obligations of the separate system will continue to be the responsibility of the separate school supporters.

The idea that additional funds will be allocated to the separate system is a little absurd. There may be a shift of grant money resulting from the movement from one system to the other during a short time interval. The public and the separate boards will each receive the same provincial per pupil grant.

If our school population is declining, the public taxpayer would expect a reduction in his or her tax bill. But it does not appear that way if you look at the budget projections. I am not proficient in figures and trends, but I think our educational leaders have given the public the worst scenario about the future to instil fear among the public.

It is not the intention of Bill 30 to dismantle public education but to protect its interests. It has only been the hard-line position of our separate and public school trustees over ownership and control that has hindered co-operation and mutual sharing. If you looked at the *Globe and Mail* this morning, there are a number of our local Toronto board who refuse to go to the implementation meetings.

Are the people of Ontario happy with our public education system? Ask our Chinese community in Scarborough. Ask our Canadian Greek community in East York. Ask our Canadian black community in York and North York. Ask our Canadian Indian communities in Kenora.

Why is it necessary for 10 of Ontario's boards of education to have a race relations policy and committee? It took a serious physical attack by a fellow student on a young man from Vietnam in one of our schools.

Racial tension is growing in some of our schools. What are we doing about it? Our public school system is caving in to small pressure groups who speak loudly for their own interests. In some cases, our trustees lack the background to stand up for the principles of our Judeo-Christian heritage. It has been this heritage that has made Canada a free country in which to live and work in harmony.

There are so many approaches to improve our public education system to be truly a system for all the people in Ontario. Have our leaders considered offering religious studies courses, or alternative schools with uniforms, strict discipline, higher academic standards and cultural programs? People usually want something different and they go to a private school system

because they see there is something different there.

The avenues are available and unlimited. We just need creative problem-solvers to accept the challenges.

It is unfortunate that a religious leader such as Archbishop Garnsworthy has taken upon himself to support the inept leadership in the circles of public education. It is interesting to note that in 1971 he was a member of the ecumenical group that endorsed the separate school system. I truly wonder why he is in this political debate.

Moreover, he would be surprised to discover the real public school system he is supporting today. I wonder if he realizes he might be used as a political pawn for the vested interests of the key parties and not the interests of our young people and parents.

The euphemism "the parliamentary process" has been overused in this debate. When there is all-party support on this question, what else can one expect? If his feelings are so strong, I would urge him to form another political party to fight this issue for the next election. We have had one-issue parties in the past. Yet there is more at stake than political rhetoric.

Our public education system is unique in comparison to other systems in the world, but there has been a gradual erosion since before 1984. Why has this system been slow to accept the multicultural mosaic of Ontario society? Race relations policies are not necessarily going to relieve the tension, but in certain cases will only heighten the awareness.

Our secondary school system is now in the second year of the Ontario Schools, Intermediate and Senior Divisions program. Curriculum programs are in a total state of chaos as new guidelines are being rewritten, implementation dates are altered and school boards have devised their own interpretation. It is unfair that our educational leaders are using Bill 30 as a reason a good secondary school program cannot be offered with both systems. Once again, it requires people who are willing to listen, to communicate and to work together. As a secondary school teacher, I can find no reason both systems cannot work together.

Recently a decision has been made regarding the participation of both separate and public secondary school students in a common sports division. If our students can share and play together at sports, there is no reason they cannot learn together and respect their differences. The only stumbling block for small communities in Ontario to achieve this happy balance is the

conflicting personalities of our leaders, who have a neurosis of power control.

I have envisioned our two school systems working together, sharing resources and personnel and achieving the best results for our children and maintaining the distinctive Catholic character of the separate system. Yet today I can see only conflicts of interests, opposition and tunnel vision among our leaders.

My third point concerns the shortcomings of Bill 30. The legislation in Bill 30 is an attempt to balance the conflicting interests of all parties concerned: teachers, boards of education, parents and students. It has also become a political football, each party upholding or refuting one aspect of the legislation.

The legislation regarding job security for teachers and open access to all students has its limitation, but its intent is necessary to achieve a working agreement. However, consideration must be given to protect the integrity of the separate school system. A religious education course is not the fundamental difference between a public and a separate school. Parents and students who wish to participate in the separate system ought to realize that education is an all-encompassing endeavour.

The Catholic way of life is the fundamental premise of the separate system. The spirit of ecumenism has a definite role to play in our separate system. Non-Catholic teachers and students will have a role of mutual participation, not of exemption.

There is no doubt that this bill requires rewriting in many sections, but remember that its purpose is to safeguard the interests of both the separate and public systems.

The following are my expectations of this standing committee. The members of this committee have a very important task to complete for the people of Ontario. You have listened well. Your task is not easy but necessary. The people of Ontario have great expectations for the outcome of this committee. I would recommend that this committee develop a statement of purpose for our education systems, both separate and public.

We have a heritage of two government-funded systems. Today we need a philosophy of purpose for the 21st century. It is important to determine what the people of Ontario really want. We need a goal and a set of directions to help us give our children a sharing, understanding and loving society.

Thank you very much.

4:50 p.m.

The Acting Chairman: You have thrown out a good number of challenges. Maybe I could say on behalf of the committee that when one has been examining a football for 62 sitting days it is tempting to kick it every now and then.

Mr. Allen: It is refreshing to hear a paper which plays no favourites, or does not seem to. Where do you teach now?

Mr. Scanga: I do not think I wish to say.

Mr. Allen: What is your subject area? Do you teach in a secondary school?

Mr. Scanga: Yes. I do computer studies.

The Acting Chairman: You say on page 3 that the federations are not considering the prime fact that our school population is declining. In fact, the committee has heard a great deal about declining enrolment and its impact on the school system.

Mr. Scanga: My point was they are saying that if we give extension, our public schools will be empty in no time. They are using that, in my opinion, as a reason for not looking at the fact that maybe that school has to be closed because there are very few students there.

That is what they are using in some cases in their arguments. "Give the money to the separate schools and our schools will be empty." I do not think that is the reality; our population is decreasing.

Mr. Allen: I am sure your argument is not intended to say there is no creative leadership out there.

Mr. Scanga: We do not seem to hear it, let us put it that way.

Mr. Allen: Perhaps it does not always manage to fight its way through the tangle of the bureaucracy. For example, I think one of your proposals is a much more systematic program of religious studies in the schools. We have had a number of boards of directors of public boards who have come before us and said they have tried without success to get that for a dozen years or more from the ministry.

Mr. Scanga: If the separate school system can offer two credit courses with ministry approval in high schools and get two credits towards the secondary diploma, I cannot understand why a public board director cannot use the same persuasion and the same curriculum writing to convince the ministry that it requires a credit.

Mr. Allen: I think there are boards which have in their system courses in world religion, for example, but I think their argument has been

directed to achieving something more than that, a systematic curriculum offering—

Mr. Scanga: Let me give an example. I am qualified to teach religious studies. There is no reason I cannot offer a grade 9 or grade 10 religious course for Catholic students in the public school system. But in most cases people do not want that because it is forming another course in the school and they feel there are other needs more important.

Mr. Allen: It is interesting that the composite schools that were set up in the intermediate communities in Saskatchewan provided teachers with opportunities for that to happen.

Mr. Scanga: When we look at England too, the situation there is that religious studies is a compulsory course in the comprehensive secondary school system and they are having a lot of problems because religious education can be an academic subject which can bore the students.

From a Catholic perspective, it is supposed to be a living experience and a lot of our Catholic teachers have failed to make it that. They do not make religious education a living experience. It is a 40-minute or 70-minute period and you write so many essays. When I was a student at De La Salle Elementary School I would argue with the Christian brothers, "How can you give me a D in religion?" That is not the point I am trying to prove here.

Mr. Allen: The critical question is that there is a distinction to be made between the academic study and the nurturing of faith. It is interesting that one or two boards across the province, for example the Carleton Roman Catholic Separate School Board, are at this time involving pastoral counsellors from denominational standpoints to engage themselves and be available to the school system.

Mr. Scanga: Those are the success stories.

Mr. Allen: I would imagine those could be combined with the academic structure to accomplish both ends.

Mr. Scanga: Since this committee has heard those success stories, I am hoping its recommendations will bring those success stories to mind. All the public sees and hears is opposition and protest. It does not see those wonderful things that are happening.

There are many wonderful things taking place in the small communities. You can ask the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario. There is a variety of small community centres in the

Muskoka area, where the separate board there has committed itself not to open a separate high school for X years because it does not have the resources. It does not have the taxpayers' support, so why do it?

It made an agreement somehow that religious study courses and a priest would be available within the secondary panel, but we just do not seem to hear those success stories.

The Acting Chairman: Thank you for coming before us.

D. DePOE

The Acting Chairman: Mr. DePoe, do we not have a brief? This will be an oral presentation. I do not have a document.

Mr. DePoe: Yes, that is right; I am afraid I have been in a sickbed for the last three days. I got out of it to come here so I did not have a chance to get the final typing of my brief done. In any case, I have been working on it continuously for six months with input from an awful lot of people. I will organize my materials here and get started.

I am an elementary school teacher in my 10th year of teaching. I teach for the Peel Board of Education at a junior public school on Lakeshore Road in Mississauga. I am also chairman of the political action committee of the Peel Educators Association. We are the largest public school board in Canada and we have 2,800 elementary teachers in Peel.

In the process of preparing this brief, I talked to fellow teachers and parents. I talked to students, both at the elementary and secondary levels and from both the separate and public systems. I talked to top leaders and rank-and-file members of my federation, the Ontario Public School Teachers' Federation; local executive members of the Federation of Women Teachers' Associations of Ontario; the provincial leadership of OSSTF and the Ontario English Catholic Teachers' Association, and the leadership of the Ontario Teachers' Federation.

5 p.m.

As far as the education sector of society goes, I have a large network of friends across the country and I have spoken to people from Newfoundland to Vancouver. As well, I have spoken to my neighbours, businessmen, including the owner of a welding shop around the corner from where I live, storekeepers, and the owner of a Canadian Tire franchise. I have many friends in minority communities in Toronto, Jamaican, Arab, Pakistani, East Indian, whatever. In other words, I have taken the time to get out on the street and

talk to just plain folks as well as talking to people who are democratically elected leaders of organizations.

I have also talked to a number of people in organized labour, including people from the Ontario Federation of Labour and Mike Lyons, who is chairman of the Labour Council of Metropolitan Toronto. I have spoken at the Brampton, Mississauga and District Labour Council on this subject. I have spoken to Gregory Baum at St. Michael's University. I have read a number of things by Hans Kung; he is a wonderful ecumenical theologian, as most of you know. I have also talked to members of Parliament in Ottawa and members of what we call nongovernmental organizations in Ottawa, who are my friends. I guess I have spoken to well over 500 people, friends of mine, in preparing to come here today.

My impression is that as politicians the people inside this building are almost wholly out of touch with what is going on out there. You have had a lot of input in this committee and you might think that statement might sound a little bit arrogant or something like that, but I do not think so. I have talked to a lot of what Ed Broadbent calls "ordinary Canadians." I just tried to listen to a lot of them.

I live in an old, white, Anglo-Saxon Protestant, Italian, West Indian neighbourhood in the city of York. I have a lot of friends in the neighbourhood too. I have talked to my mailman and so on. I teach a grade 3-to-4 class with 28 students. That includes four behavioural exceptional students. I have a behavioural aide to look after them. I have one gifted student and one non-English speaker. As teaching loads go, it is probably as heavy as one is going to get as an elementary teacher.

I have taught grades 3 to 8. I am qualified to teach English as a second language and as a specialist in primary education, computers, reading, special education, behaviour. Right now I am pursuing a master of arts degree at the Ontario Institute for Studies in Education. I think I am bringing a lot of experience into this room that I would like to share with you.

As I said before, I do not think you really understand the depth of feeling out there on this issue and I feel you must understand that. You must understand how people feel, ordinary working people, both Catholic and people of other faiths or of no faith.

What I am coming here to do is to try to give you something of a synthesis of that experience. I am a trained community organizer and I started

out my social concerns by attending a couple of events back in the early 1960s, one of which was a Martin Luther King speech in Washington, DC. Another one was a founding conference in an organization called Students for a Democratic Society in Ann Arbor, Michigan. I have been involved in movements that could be characterized as movements fighting for social justice ever since. I see this Bill 30 as a reactionary step, as a movement away from social justice in this society, as a divisive instrument. I would like to tell you why; so I am here.

In his report, *To Herald a Child*, which was commissioned by l'Association des enseignants franco-ontariens, the Federation of Women Teachers' Associations of Ontario, the Ontario English Catholic Teachers' Association and the Ontario Public School Teachers' Federation, Laurier La Pierre states that the education of the young child is the fundamental priority of a civilized society.

It is ironic in the face of what is going on in Ontario right now that of these four organizations, FWTAO and OPSTF are on one side, OECTA is on the other and AEFO is caught in the middle of the controversy over the extension of funding to the separate school system. Yet they all agree that children are their most important concern.

I guess it is not surprising to me, but it still is incredible that with the severe cutbacks in education funding over the last years, despite the very people who should be banding together to defend the quality of education that the children receive in the face of this financial crisis the school systems are facing, I could not buy a set of spellers for my classroom this year.

In the 10 years I have been teaching, the per capita grants have been cut back to the point where I had to argue with my principal about getting a new set of spellers, spellers that are a very good, new and sophisticated text I have used before in other schools and are completely relevant to the inner-city type of children I teach. I could not get them. That is wrong. That is outrageous to me as someone who cares about the children I teach. It is frustrating and it makes me angry. It makes me angry and it makes me sad.

The irony is that in the midst of this financial crisis the teachers' federations are going through regarding their spending, the government is spending tens of millions—and I think it will amount to that—in lawyers' fees and fees to fund this committee over this issue and yet I cannot get a set of spellers for my classroom.

I was speaking to one of the top officials of OECTA. He told me that their legal bill so far for the hearing is \$500,000. I do not know what J. J. Robinette charges, but I am sure it is probably more than that.

As an elementary school teacher, I find this whole process appalling. My own experience told me, however, that when this measure was announced there would be a tremendous and completely unnecessary—I am reading from a Xerox copy and I am going to have to find the original copy in order to make it out; anyway, I will give you the sense of it—battle in that arena or perhaps circus that we call the political arena. Ordinary people look at what is going on down there and they really are quite frankly appalled.

5:10 p.m.

I do not know whether you understand the depth of feeling people have and the cynicism they feel about the political process, especially this political process. It is remarkable. When I talk to ordinary people they say: "Who cares? We might as well empty our pockets. We might as well just endorse our paycheque and send it down there. They are probably going to get it anyway."

They talk about Suncor and this \$10-billion Darlington nuclear reactor we do not need and they talk about the Urban Transportation Development Corp. These are ordinary people who just read the newspapers. They are not political sophisticates, just normal working people, my neighbours and friends.

Based on an estimate by Dick Dodds, who is one of the most respected educators in the province, the operating costs alone for this proposal over the next five years will be \$500 million. The capital costs will amount to almost the same figure. That is the best estimate of the East York Board of Education on how much this is going to cost.

I have no reason to doubt Dick Dodds. I think he is an outstanding educational figure. When I repeat his figures to people, they ask, "What is going to happen if all the other schools get funded?" I say, "Put your hand in your pocket because it is going to cost a lot more."

I should go back to a personal level. My first involvement in the issue of separate-versus-public schools came in my own neighbourhood in Toronto's west end. I ran across the street to the schoolyard to stop a snowball fight between a passing group of children from the local separate school and my oldest son and his friends. My son was six at the time. I was appalled, of course, and subsequently asked my new next-door neighbour

for an explanation, because I had just moved into the neighbourhood.

He told me that two years before the public school had shared its building and yard with the Catholic school while a new Catholic school was being built. Both staffs in the two schools had worked very hard together to build good relations. It was not perfect, of course, because of rivalries, and these neighbourhoods are institutionalized. But with a lot of effort there was basically a minimum of overt conflict, but a lot of verbal back and forth.

As the separation approached, feelings ran very high. The local priest began telling Italian and other new immigrant parents that besides getting the much-vaunted better discipline in the new school, their children would not be confirmed in the Catholic Church. They continued, as they always had, taking their catechism classes from qualified Catholic public school teachers outside of school hours.

The public school had and still has an excellent academic record and a great rapport with all its parents. A number of them organized a fight, but particularly with non-English-speaking parents, the scare tactics worked. The public school was reduced to about 200 children and currently has about 160. The separate school is bursting at the seams.

I talked to my nine-year-old son the other day about whether it was still going on. He told me: "Yes, it is still going on. These other kids call us 'public school rats.' They say, 'Your school is so small and our school is so big and our school is better.'" He also said to me, "I do not understand why I cannot go to school with my friends."

Actually, there is a family of four black children, Trinidadian boys who live down the street, and one Jamaican girl. My boys are virtually the only children on the street who are close friends with them and invite them home. There is a fair amount of racism in this neighbourhood. Their parents have sent them to a separate school because of this myth about better discipline. They do not understand why these kids cannot go to the same school across the street instead of walking four or five blocks the other way.

In my own school neighbourhood plus four different school neighbourhoods I taught in, there is this same institutionalized rivalry. It is as plain as the nose on your face. There is one building and there is another building. Those are institutions and the rivalry is institutionalized. It is very simple. It is as plain as using two eyes. I do not see why people here cannot understand

such a simple point. Because there are two systems, one based on religion, there is a division among children of elementary school age defined on the basis of religion.

I have taught in the west end of Toronto and Bramalea. Now I am in the south end of Peel on Lakeshore Road, right across from the four big smokestacks, which is why I have to get my car washed twice a week.

Some kids from the separate school down the road from my school, called Queen of Heaven Separate School, came and smashed windows in our school last summer. They thought they were going to get away with it. They live right next door to my school but they thought they could vandalize our school because they went to this other school a mile down the road to which they get bused every morning. This appears to be an absurd expense when they live right next door to the school. It does not make any sense at all in terms of the social costs of having two systems.

In my class I asked the kids, "Who did that to our school?" because I try to build pride in the school and pride in keeping it clean. That is all part of building up kids' self-confidence and ability to be proud of themselves and proud of their environment, their school and so on. They told me who the offenders were, and I passed the names on to the principal. We informed the principal of the Catholic school, and I presume the problem was eventually solved. I did not follow it any further.

The point is that in all the schools I have been in, there have been physical fights between kids from the two schools based on this simple institutionalized difference. I am just trying to convey to you this is happening, and teachers I have talked to in every neighbourhood that is similar to mine agree, at least in urban neighbourhoods in Ontario.

Children who live right beside each other are growing up divided on the basis of religion. Most of the time they play only with children from their own schools, even if they live next door to each other, except in the summer when they may take part together in a parks-and-recreation program or something like that. Then they get along, but as soon as they get back to school the rivalry starts again.

Those are just my observations of my neighbourhood. I am just telling you what I see.

Obviously—and I think you have heard the political theory repeatedly, and I am not going to belabour it—the origin of this situation has deep historical roots. In the Orange Ontario of 1867 the need for a separate school system was quite

understandable, both as a basic part of bringing our two founding nations together and as a protection against a tremendous prejudice that existed mainly against Irish Catholics.

I am a historian of some sort, and I think I have a feel for Canada and Canadian history. The key question we must ask now is why do we still need this protection in the wholly different social context of 1985 when we have a Charter of Rights and Freedoms that is, the "notwithstanding" clause aside, the best in the world?

Emmett Cardinal Carter, at a fête that was held for him last night, and he certainly seems to be the darling of a lot of people with money in this city, said, "The Catholic religion is no longer second-class, and we can be proud of ourselves." I read this in the *Toronto Star* this afternoon while I was waiting to come here. It was an interesting comment. In other words, he feels, in fact, that they do have full equality in society. I believe it is true. I think the Orange parade last year had about 200 people in it. Orange Ontario is dead.

The need may have existed a century ago, but the existence of a publicly funded religious school system is an anachronism in a modern democratic society where we are supposed to have the separation of church and state.

5:20 p.m.

The extension of funding represents—and I am sure you have heard this statement many times before but it does not make it less true—the establishment of Catholicism as a quasi-official state religion. A lot of people object to having their taxes pay for religious instruction in a religion that is not their own. That is the feeling out there on the street.

I do not think there is any place for such a phenomenon at this time in history. It is not a progressive move; it is a reactionary move. It is a return to an earlier era.

You people, particularly those in the New Democratic Party but those in all three parties who argue that it is a removal of discrimination, are wrong. The discrimination has been removed legally and is being removed socially.

I brought with me a whole pile of pamphlets just for fun. They are all kinds of documents from the Ontario Human Rights Commission, which I use in my classroom. They are, for example, *Working Together: The Race Relations Division and You*; *Human Rights and Sexual Harassment*; the *Human Rights Code*; *A Guide to the Human Rights Code*; *Employment Application Forms and Interviews*; the *Human Rights Code: A Yearbook*, and so on. Those laws are in place and they are being enforced.

Of course, all children have a right to an equal education. There is no question about equal funding of their classrooms and equal classroom budgets. All teachers have a right to decent salaries too. It is appalling that Catholic children and their schools have been underfunded for so long. Mind you, our public system is underfunded too.

I have been acting as a volunteer on the steering committee for the Coalition for Public Education. I know all the people in its leadership, people from the Ontario Public School Trustees' Association, such as Malcolm Buchanan and others. I consider them to be friends.

The basic concept from which the coalition is operating is that we live in a multiphased society where each religion is guaranteed equality under the charter of Rights. It follows then, and this has been argued in court, that there are only two positions that agree with the charter which amends the British North America Act. There is an argument about entrenched rights, and I am aware of it.

The Acting Chairman: I would suggest to you that you have about five minutes left. If you have a major line of argument you want to advance, you might want to do that now.

Mr. DePoe: All right, here we go.

The system should be a single board of education for each county or municipality. The board would be constituted of public and Catholic school representatives plus, for example, Muslim, Jewish and francophone trustees where numbers warrant. A public education system would only teach religious education, not religious instruction; that is, where enough parents want it.

The point is that children of all creeds and colours should grow up together attending the closest neighbourhood school, and learn about each other's religion, culture and background in order to promote the kind of friendship and respect for others we need in a democratic society. The social and financial costs of doing anything else would be horrendous.

I phoned up journalist June Callwood last week to ask her to make a statement for the coalition. She told me this thing would cause racism, pure and simple. So did Charles Roach, a very old friend of mine who is an outstanding civil rights lawyer in this city. So did Mike Lyons. So did John Laskin. So did all these friends whom I talked to about it. So did Joe Brown, who is just plain folks. He is the father of the Family Brown, the group that just won the Juno award as the best country group.

He said to me, "The people I admire most in society are policemen and teachers. I really admire you for what you are doing. I cannot see that they are going to spend all this money when they should be putting it into books and pencils and everything else." He is just plain folks. That is the level he understands the thing on. He said, "Those politicians there, it is a circus. I do not understand what they are doing with our money, but they are sure not spending it on the things they should be."

I have one final point. The basis of this is that when Bill Davis looked at this situation—and I think maybe all of you looked at this situation—the demographics showed the Catholic population was increasing and more than 50 per cent of the population of Metro Toronto was Catholic. They decided they would somehow have to appeal to Catholic voters who were loyal to the New Democratic Party in order for the Tories, and to some extent the Liberals, to make any voting gains. This is my final point. The Liberals and NDP were already on this bandwagon—with thanks, I suppose, to Walter Pitman, for the NDP's position in 1971. I think those views were more self-serving than anything else. However, I can understand that in an historical context it was reasonable, with regard to what was going on in Canada at that time.

However, I think we have to talk about Claire Hoy's book. I have no love for Claire Hoy. His views on minorities are sick, as far as I am concerned. His columns have been criticized for racism by many people. However, I am sorry to say—without going into too much detail—he really does bell the cat in that book. He did his homework. The fact that the book has only been front-page news once is an interesting comment on the courage of the media. The testimony of Mr. Davis, before this committee, is questioned seriously. That is the net result found in the book.

In the book, Hoy shows that Mr. Davis and Cardinal Carter have been friends—political cronies I would call them—since the 1960s. For example, he telephoned Cardinal Carter before his public announcement, made on the Monday after the weekend Mr. Davis made his decision to resign, to assure him he would not abandon his decision about Catholic school funding. Cardinal Carter also thanked Mr. Davis at an Ontario government dinner in 1979—another fête for Carter, with our money—for the consideration he had shown to the separate school system.

Davis's reversal of his 1971 position was absolutely stunning. Then he said it would fragment the present position beyond recognition

and repair. He said that to embark on such a policy could not be, in reason and justice, limited to some faiths and denied to others. Mr. Davis was armed with polls at the time, which showed many Catholics supported his decision.

In my own experience, most Catholics in 1985, my Catholic friends, teachers, parents, students, high school students, feel that one unified system which, perhaps, teaches religion as a subject, would be quite acceptable. I am serious. Some people among those I have spoken to and they are not radicals or anything like that, just ordinary people, say, "Yes, that is the way we want the system. We want our children to grow up together." Catholics tell me this.

Cardinal Carter has been quoted saying he dismisses opponents to the extension as bigots. I think some of the opponents he is talking about are Catholics. There are more than he realizes. Many rank-and-file Catholics do not follow the church's precepts on birth control and divorce.

I am winding this up. I saw Hoy on television and he claimed he had interviewed four people after Mr. Davis's testimony, in which he denied there had been a secret deal between himself and Cardinal Carter, who had been in the room at the time. All of them confirmed the story. We were not born yesterday. A lot of ordinary people, in this province, understand that is the kind of political dealing that goes on, the kind of politics we have in this society.

I understand that Mr. Davis is a politician, and not a philosopher. Politicians make decisions based on political calculation. That is not hard to understand. It is designed, of course, to keep them in power. That is what people think.

It goes without saying that this involves obfuscation and deception. Mr. Davis was a master of those. I think Mr. Davis might have been accused of misleading the House, if he had told the story in the Legislature.

The Acting Chairman: You think he would have?

Mr. DePoe: Yes, I think so. I think it would have been worth it.

The Acting Chairman: Could you please give us a concluding statement.

Mr. DePoe: It is all in the interest of giving Mr. Davis a majority government. I think it is possible—having spoken to Gregory Baum, and Hans Kung—to work out programs concerning religion in societies that appreciate the contributions of all religions towards the formation of culture in society. It would be feasible. Gregory Baum thinks so as well.

5:30 p.m.

Hans Kung, writing in *The Christian Century*, advocated dialogue in a time of growing world unity among the world religions. In recent radio interviews he stated, for example, that western societies could learn much from the Buddha's reverence for plants and animals. One might ask, then, why not initiate this dialogue in Canada. Are we socially mature enough to achieve this kind of union? I think we are. One might hope we could overcome the desire for control of their own system and their own area that has been exhibited by some.

In conclusion, my sense of what is going on in Canada right now is that society is going through some very positive changes. I am certain I have a feel for it. Think about Terry Fox, Steve Fonyo, the Live Aid concert, the Tears Are Not Enough song. As Canadians we have a very special kind of vision of our society and of the role that we as a society can play in the world.

I think we are mature enough as a society to have here in Ontario in 1985 a single public education system that is properly funded so the children can have the spellers and the ink materials they need. This divisive bill has brought this question up and has caused hundreds of briefs to this committee. It is just the tip of the iceberg. The Coalition for Public Education will be back with many more people next time around. We are not going to give up on this thing. A lot of people are determined it should not happen. It is wrong for the children to be divided.

The Acting Chairman: You will discover that at least one member of the committee is a philosopher. I think you are going to discover that right now.

Mr. Allen: I thought we had all become philosophers in the course of 868 or 869 briefs.

Mr. DePoe: I am sure you have had a tremendous amount of input and have heard a lot of things before. I tried to make this personal, because I think the issues have been discussed and discussed. I tried to convey something of my personal experience in talking to ordinary people and also to people in positions of influence or respect. People have elected them because they respect them. I have also talked to children.

Mr. Allen: Perhaps I can get on with my question.

Mr. DePoe: I am sorry. Go ahead.

Mr. Allen: I certainly appreciate, as I am sure the members of the committee do, the extent of consultation that you have tried to have on the issue. It is quite clear from the scale of your notes

that you have done a lot of research and have pulled together a lot of material on the issue.

I wonder whether the question is whether we are mature enough to be able to have a single school system or whether we are mature enough to be able to cope with a certain kind of divided view within our society about education, which might for me suggest that we might never have a completely unified school system, and then how does our maturity play out in that situation. That is a good question.

I do not want to prolong this, but you purported to bring to us not just the views of experts but also those of ordinary people you have consulted. You told us there are very deep feelings around this issue, and I understand that. I think all members of the committee understand that.

Having talked with those people, how would you suggest that we respond to the latest poll taken on this subject, which shows that a majority of the public is opposed to this? None the less, it also tells us—

Mr. DePoe: Opposed to the extension of funding?

Mr. Allen: Yes. None the less, it also tells us that 52 per cent of that public still think no public money currently goes to Catholic schools.

Mr. DePoe: My perception—even of teachers, who theoretically should be tuned in, because it is in all our newspapers and everything else—is that people are just becoming aware of the issue. At the rally we organized last Saturday, about 6,000 or 7,000 people turned up.

Mr. Allen: That is the biggest figure I have heard yet.

Mr. DePoe: I tried to do a reasonable count. I talked to the Metro police, and that is what they told me. They agreed when I said maybe 6,000 or 7,000. They said 7,000.

From my experience in Catholic schools, by the way, there is very little difference between what goes on in a Catholic school classroom and what goes on in a public school classroom.

Mr. Allen: That is not my question. My question really is, how do we respond to the fact that more than half the public apparently believes at this point that no money is going to Catholic schools from the public purse. In the light of that, I am sure the implication is that the majority response to this question is extremely ill-informed.

You suggested that perhaps the public mind is just getting to be composed on the question. If that is the case, one might wonder where the

public will go when they realize that in many parts of the province 12 years of Catholic education are already funded and only two years are being proposed as an additional factor. Would that not raise some question about all the surmises concerning fragmentation, division and whether we should or should not do this?

Mr. DePoe: You have a legal problem to start with. The Tiny township issue and the ordinance made by Robinette are pretty cogent.

Mr. Allen: They also have real problems in them too, I suggest. Tiny township did not really settle the issue clearly.

Mr. DePoe: I understand. I have read the briefs. It seems to me that we as a society are going in another direction. We have multiculturalism in our Constitution.

Mr. Allen: What is the meaning of that?

Mr. DePoe: The meaning is that people respect each others' religions and cultures far more than they ever have before. They want their children to go to school together with children of other faiths and cultures because they see that as the way to build the kind of respect you are supposed to have in a society that officially supports multiculturalism. Multiculturalism means to me that these children get to know each other and respect each other for who and what they are and that we celebrate these differences because they enrich all of us.

Mr. Allen: Is it the people who wish to have a distinctive form of education who create racism in our society? Is there any evidence at all to suggest that? Can you cite a study that would tell us that?

Mr. DePoe: Mr. Shapiro's study, according to advance reports of today, suggests the funding of private schools now.

Mr. Allen: But we cannot presume anything about Mr. Shapiro's study.

Mr. DePoe: All right. Let us say the decision says that if the Charter of Rights says all religions are equal, then religious-based schools have to be funded from the public purse. That is what the Charter of Rights says: They are legally entitled. There is no question that that is what it says.

Mr. Allen: Are you saying it must happen regardless of structures of public accountability, that a religious group simply says, "I want public money and therefore I get it"?

Mr. DePoe: Unless you pass a "notwithstanding" clause.

Mr. Allen: No. "Notwithstanding" does not have anything to do with it. The separate system

at this point, if you are talking about equality, has about six different elements of public accountability. My understanding of many private schools and of some of the religious schools is that they really are not prepared to accept quite a number of those structures of public accountability. Surely it is a very important qualification of the argument that you automatically have to extend money to people just because they happen to be a religious group in our society.

Mr. DePoe: If the entrenched rights for Catholic education in the British North America Act are ruled valid, then it logically follows that you would have to fund religious-based schools at least up to the elementary school level.

Mr. Allen: Not necessarily.

The Acting Chairman: Mr. Allen and Mr. DePoe, I submit that you are now engaged in a debate rather than a question-and-answer session.

Mr. Allen: Mr. Chairman, it is important at least to recognize that section 93 conveys certain rights, but rights that existed in law. Therefore, there is a whole structure of legal relationships and responsibilities that go with that.

Mr. DePoe: What I am really saying is that we should examine the whole question of what kind of education system we want in 1985 and into the 21st century. Do we want two major systems, one of which is based on religion? Is that appropriate in Canada in 1985, given the multicultural nature of our society? I suggest that we have a royal commission on education in Ontario. Education of the youth of this society is fundamental to its direction in the future.

Mr. Allen: You are not telling me anything new in that.

Mr. DePoe: What kind of direction do we want?

Mr. Allen: I quite agree. What we need, in fact, is an ongoing structure in the Legislature that would continue that discussion.

Mr. DePoe: The chairman is interrupting me because this is not considered at this committee at all.

The Acting Chairman: Actually, a light went on, and I was trying to figure out whether Hansard wanted me to say something just now.

Just as a comment from the chair, in the 1950s, when Claire Hoy and I went to Brantford Collegiate Institute and Vocational School together—a decidedly racist institution, I might tell you—on Friday night it was not the kids from St. John's College we went to fight with; it was the kids from Pauline Johnson Collegiate and Vocational School across town.

Mr. DePoe: Maybe that was a class difference rather than a religious difference.

The Acting Chairman: Claire and I probably represented the two major classes in the town, which were present in Pauline Johnson Collegiate as well.

Mr. DePoe: That is a different era, though, Mr. Reville.

The Acting Chairman: Oh, thankfully. In the 1960s we all rejected that, and here we are in the 1980s with grey hair and everything, and it is wonderful. Thank you very much for coming.

The committee recessed at 5:43 p.m.

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No. S-82

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, November 6, 1985
Evening Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, November 6, 1985

The committee resumed at 8 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

The Vice-Chairman: It is eight o'clock and I recognize a quorum. Will the first presenter representing the Ontario Association for Continuing Education come forward? It is brief 870. Some presenters have a habit of wandering away from the microphone in one way or another, such as leaning far back in their chairs. We would like to get you well recorded. Please stay reasonably close to the mike and we will all be in your debt.

ONTARIO ASSOCIATION FOR CONTINUING EDUCATION

Ms. Terry: My name is Wendy Terry and I am past president of the Ontario Association for Continuing Education. With me this evening is Sara Rans who is a member of our association and she is also the co-ordinator for the Workers' Educational Association of Canada, a member group of the Ontario Association for Continuing Education.

Mr. Chairman: Do you want her to participate in the brief or to speak? She may come forward if you wish.

Ms. Terry: Dr. Mark Waldron, president of the Ontario Association for Continuing Education, was to be present this evening but sends his regrets. He is chairing a meeting dealing with the school teachers' strike in Guelph that has been going on for eight weeks. He is one of the key persons trying to get that situation resolved. He did try to get here but was unable to do so. I am presenting the brief on behalf of the Ontario Association for Continuing Education.

The Vice-Chairman: I am sure we are in good hands.

Ms. Terry: Mark deals with children's education, but tonight I want to speak about adult education, particularly its nature and how that nature affects the offering, the accessibility, of courses for adults in Ontario.

The way OACE is constructed is similar to the way the field of adult education is represented in

the province. We have members from organizations such as school boards, public libraries, colleges, universities, voluntary and professional agencies, the Young Men's Christian Association and the Young Women's Christian Association, government groups that offer programs and courses—the whole spectrum from which adult learners shop for courses.

I have more information about OACE for the committee if some members are interested in it. I will leave it here so you can have a better idea of the nature of the field we try to represent.

Part of the field where adults attend school is the school board sector. It is a very important sector for adult learners—as has been demonstrated by several studies, most recently by the study One in Every Five: A Survey of Adult Education in Canada, which, many of you may know, was done by Statistics Canada along with the labour force study, and subsequently analysed province by province by the Canadian Association for Adult Education.

In the One in Every Five study and the breakdown of the study that was done by the CAAE it is shown that adults who are educationally disadvantaged are not the normal demographic for people who participate in adult education, that those who participate in adult education tend to be well educated to begin with. They have gone to school, they are used to going to school so they keep on going to school as adults.

The people we are trying to reach as adult educators are people who are illiterate, or who have not completed high school, or who need grade 12 for many jobs or to get into apprenticeship or training programs, and who feel most comfortable in an informal learning setting at their local school board. School boards have been demonstrated by these most recent studies, and there have been previous studies, to be one of the places where the adults we are trying to reach out to and get involved tend to participate and get the most involved. They do not approach the universities or the community colleges with the same degree of comfortableness. They are at the most appropriate level for some of the programming offered by the school boards, such as the basic education programs.

Adult education is becoming very important because of unemployment, technological change and increased leisure time. In the past, adult education has been seen as marginal or secondary by many institutions. It has been seen as an add-on or an afterthought within the provincial government. The Education Act does not refer specifically to adult learners. However, it is becoming more and more important for people to continue to go to school. If they were not successful going through school, they should get a second chance to go back and complete a level of education so they can move ahead.

Why is Bill 30, unamended, a problem? Do we see it as a problem for adult education? It is due to the nature of the way adult education is offered. It is voluntary for the part-time learner. It is also up to the school board to offer the course or program. You do not have to do it. The Education Act says that you may offer programs. It is up to the school board to decide whether to do it and it is up to the adult learner to decide whether to go to school.

The people who get involved in adult education do so, to use business terminology, on a market basis. The class will run if there is a large enough population base. For example, that would determine whether classes in mathematics run. If you have three or four people within a certain population base offering classes in mathematics, you might get four students in one class, five in another and two or three in the remaining classes; then none of them go. This situation has been demonstrated over and over again in adult education. It is seen in community colleges, universities, school boards and libraries. The smaller your draw in the population base for adult education, the less likely you are to get programs if you have groups competing all the time.

One of the most successful centres for participation in Ontario is in London. An adult education council and all the providers get together once a month. They talk to each other about what they are doing. One of the highest participation rates for adult education in Canada is in Alberta. The provincial government makes sure that every community in Alberta has an adult education council. If you want to be funded for adult education, you have to participate in the council and work out a system to offer the most classes to the people within the area, using the resources all the institutes have.

We are concerned that in the bill you may start to change the way adults participate in the education system. It looks as if you will if the bill

goes through as it is. It does not leave adults out of the bill nor does it make any separate provisions for them. You direct them to the school board, based on where they pay their taxes. It is an easy way to cut back your funding, given the nature of the way Ontario collects tax revenue, the concerns of trustees and taxpayers, and the fact that adult education is a marginal add-on activity. One of the quickest ways to balance the budget in an academic institution is to say, "We will lop some off adult education."

When the trustees are trying to figure out how to cut back and they see groups of students coming to their schools who do not pay taxes to the public system, they will say: "It costs us money to run these evening courses. The money that comes from the provincial government does not pay for all these courses. We have to raise taxes or the mill rate to cover the administration costs of these courses. We could cut costs because the funding for, and the municipal taxes of some of the adults who are coming go to a different level."

8:10 p.m.

It increases the fragmentation problem and the problem of not having a large enough population base in adult education. In Metropolitan Toronto, there is no such problem because there is such a large base to draw on, but the rest of Ontario has a real problem with making courses go totally on a user-pay basis. It is not our position that these credit courses or courses in adult basic literacy should be run on a user-pay basis. People should have the right of access to basic education, to have so many years of education. If you did not get that education when you were a youth and you now are having problems in reading and writing, or you are having trouble getting a job because you did not complete grade 12, it should be your right to go through that system without having to pay user fees.

That is the basic point we tried to cover in our brief. We are willing to answer questions.

The Vice-Chairman: The question of adult education has come up a few times in our discussions. I am sure the members would like to clarify the situation, perhaps partly from the background of different municipalities and regions. It may affect different regions differently.

Mr. Offer: As the vice-chairman has indicated, we have heard your concern. I would like to get some idea what now is going on with respect to adult education classes in the Toronto region. Is there a problem? Do you anticipate a split of any kind with respect to the implementation of this bill? Has there been any discussion of any

nature between your association and the separate school representatives?

Ms. Terry: I believe the Ontario Separate School Trustees' Association meets on November 29. One of our board members, Jane Dobell, is co-ordinating a group from the Ontario Association for Continuing Education to meet with them to talk about the situation.

I have spoken with Leo Lynch who is from the Metropolitan Separate School Board. He is a member of OACE. They run many English-as-a-second-language programs. Prior to our conference on October 19, I was talking to him of our concern about fragmentation and said we wanted to make a presentation to this group. It was not that we were taking this position on religious lines; we wanted to express our concern to the government through as many routes as we could about how important it is that adult education be co-ordinated in the province. People should be able to look at it as a complete system. We should figure out how we can offer as many classes as we possibly can. Every time we deal with legislation involving education, we should think of the effect it has on the adult learner.

Mr. Offer: Right now in OACE certain members are associated with the separate schools.

Ms. Terry: That is right.

Mr. Offer: Is this prior to your first meeting?

Ms. Terry: We have discussed it informally over the phone, but we have not met with them formally, so I do not know whether our positions will polarize when we meet formally. Informally, people have the same concerns. Even the separate school board sometimes has difficulty getting classes in ESL going because in that particular term or area they do not have enough students. Because they have to make it pay to a large degree out of the money they may get from the provincial government or the minimal user fee they charge, they have to make sure there are 15 people. That is usually the cutoff point. If they only have seven, they wind up not doing it.

Mr. Offer: From your informal discussions, can you give us any sense of the type of co-operation you are expecting or not expecting?

Ms. Terry: If anything, I think basically we both agree on the position of the Ontario Association for Continuing Education that there should be local councils of providers of adult education to work out at the local level who is going to offer what, when and where so classes go on and not get cancelled because of competition.

Mr. Offer: It looks like promising co-operation.

Ms. Terry: Yes.

Mr. Offer: It seems that when we talk about the separate school system and the public school system one important function of the separate school system is its ethos, the catholicity of the system. It is not only that which it teaches or how it teaches it; it runs through the school. Is that as much a concern in adult education?

Ms. Terry: No.

Mr. Offer: Can you give us some sense of it from the separate school side?

Ms. Terry: I think you should ask them. These things are general and we have discussed whether it is really important when you come to adult education. When you are dealing with youth, you are forming a value system that is going to take them through life. In adult education you get people taking courses such as psychology or philosophy, etc., where they are looking at a particular ethos, a value system, a way of organizing family life and that type of thing and that is part of the content. However, at this time, from the discussions we have had around OACE it does not seem to be a strong concern of our constituency.

To this point, any time I have spoken with people from the separate school sector it was not a strong concern when it came to adult education because it was not the forming of youth values. They figured adults had already come to whatever value system they might be working with.

Mr. Offer: As to the emphasis we heard in previous representations with respect to maintaining the catholicity, you feel it might not—I am trying to be as middle of the road as possible—be as important in adult education as it would be for the young mainstream users?

Ms. Terry: That is what we feel.

Mr. Offer: It would have been nice to have heard the presentation after the first meeting. It would have given us a real sense as to the type of co-operation, but I thank you for the presentation. It shed new light on this problem. I am certain it is something the committee will take into consideration.

The Vice-Chairman: Mr. Guindon, are you going to pursue a Toronto-oriented question?

Mr. Guindon: Not at all.

The Vice-Chairman: Are you on to something else?

Mr. Guindon: Yes.

The Vice-Chairman: May I interject a question to stay on here for a moment?

Mr. Guindon: Yes.

The Vice-Chairman: We have learned, I think principally from the Metro public board, that it has a major problem with the bill at the point of delivery of adult education. They have told us they are by far the principal deliverers of adult education in Toronto as far as the two systems are concerned. They have also told us they provide that service to people on a no-cost-delivery basis; in other words, they significantly subsidize the program.

If the separate boards receive full funding, then as all the public boards have told us, presumably they will want those separate boards to be deliverers of full-service education to the community. At the same time, since they are the principal deliverers, they anticipate that will not happen right away. Their concern is, do they then get into full-cost recovery from one group of clients and not from another? Do they ask on registration whether one is a Catholic ratepayer or a public ratepayer? There are complications in that respect that they have put before us. Have you had any discussions around those questions? Do you have any sense as to how we might best respond to them?

8:20 p.m.

Ms. Terry: Throughout the province the major deliverer of adult education programming has been the public school sector. In ESL programming, particularly in Metro Toronto, there has been a role played by the Metropolitan Separate School Board, and in northeastern Ontario, up around Timmins and that area where there is a large francophone population, the separate school board is quite active through another sector of adult education, which is the concept of community education. They have been active in the delivery of noncredit programming to adults in that area, but that was dealt quite a severe blow in 1981 when the province withdrew funding for noncredit learning in school boards. Those small school boards which were not receiving any provincial funding ceased or cut back their programming dramatically.

The French communities and the northern communities were most severely affected by that. The Workers' Educational Association of Canada has done a study on the problem called *The Effects of the User-Pay Policy*. Just recently the government has done a summary statistics paper, documenting the same information, saying the situation had been affected dramatically when there was no provincial funding.

At this point, the school boards in northern Ontario, and in particular the francophone school boards, are waiting for a northern committee to report on how funding might be restored. From my experience in working with OACE around the province, I know the public school boards have been the major actors in the field of adult education.

Adult education is marginally funded, and it is an add-on or additional activity. We really have to have very active trustees who are actively interested, such as the Metropolitan Toronto School Board, which has done a major initiative in the last year by developing and maintaining a specific program for literacy. We have many kids coming through the system anyway, because they have to attend up until the age of 16, but with adults you can serve them or not. You can ignore those needs or you can respond to them.

If the school board is having difficulty trying to raise the taxes because the population is not supportive, or it is not getting the kind of provincial transfer of funds that it needs, that is probably one of the easiest areas where it will say, "We can do without this."

Adult learners find it very difficult to organize because it is only a part of their lives, perhaps just one night a week. If they are going to an adult day school, it is much more a part of their lives. To get them to organize and respond to that is a difficult situation. There was quite a lot of response when the funding was cut off from the provincial level, but gradually it died down and people were saying, "Oh, well, we will have to suffer." Some very active boards are still working with the northern committee in the Ministry of Education trying to restore that funding.

The Vice-Chairman: I think it had a pretty dramatic impact on our northern communities when that happened.

Ms. Terry: It was devastating, especially in the French community. They felt it was a way that they could build a feeling of community, by participating in this program. Now it is just another event that does not happen in the town any more, where they used to enjoy getting together.

Mr. Guindon: Do you have any statistics on the percentage of adults who will need retraining in Ontario in the years to come?

Ms. Terry: Need retraining?

Mr. Guindon: Do you have any figures on how many adults did not complete their secondary school education?

Ms. Terry: There has been some work done in the field of literacy which indicates that 20 per cent of adults in Ontario have not completed grade 9. For purposes of definition, they say that group is functionally illiterate. My mother, for example, went only to grade 3 or 4 and she can read and write, but there are many people who went to grades 10, 11 and 12 who are coming back into literacy programs because they have trouble spelling, putting a sentence together, writing a letter or even putting it together. That group has been very well identified.

When it comes to training or having grade 12 to be able to get into a retraining program at a community college, if you look at some of the futurists' studies, they would say that everyone is going to have to do that eventually. We are all going to have to go back to university or college. I do not have the figures here, but I am sure the government can come up with the number of people who have not completed grade 12 within the population of Ontario.

Mr. Guindon: Were you ever in touch with the ministry, or did you ever get any indication from the ministry that it is going to allow adult retraining go two different ways, to the separate or public system?

Ms. Terry: No. It seems that it was not thought about. Most of the time what happens with legislation involving education is that no one takes into consideration the fact that adults may be a different constituency with different needs. They just say they are going to change the educational aspect. In general, they say: "Oh, yes, adults. Right; they will just follow along with everybody else."

It has not been a major activity. More and more it is coming into the mainstream, but I do not think that when the legislation was spawned the full implication of what this meant to adults was clear or was even thought about. It is always sort of an add-on activity or afterthought.

Mr. Guindon: Were you in touch with the ministry on this subject?

Ms. Terry: We made a presentation to the Ontario Commission to Inquire into the Financing of Elementary and Secondary Education in which we basically made the same points we are making again here.

We are in touch with the continuing education review project, which is an interministerial review group between the Ministry of Colleges and Universities and the Ministry of Education. I suppose the Ministry of Skills Development is in there now. This group is expected to report in late December or early January, and this is a major

review of continuing education within the Ontario government in the three traditional sectors: schools, community colleges and universities.

They did not look at training and development within business and industry or private vocational schools. They simply decided that was too broad a scope. That is a major study about what is going on.

There are nine ministries that deliver education programs. I was counting them the other day. There is the Ministry of Colleges and Universities, the Ministry of Skills Development and the Ministry of Education. The Ministry of Community and Social Services also plays quite a large role because it does support people going back to school; with bus tickets and other supplies. There are some arrangements worked out there, so there are some support mechanisms.

The Ministry of Citizenship and Culture plays a large role in nonformal education through TVOntario, museums and libraries. The Ministry of Tourism and Recreation offers recreation structural programs, a lot of which is educational. The Ministry of Labour deals with disabled adults returning to work or handicapped adults trying to be retrained. How many ministries am I up to? The Ministry of Consumer and Commercial Relations is another, but there is no co-ordinating body, and we have made this point quite often to the appropriate ministers.

Under the previous government, we mostly directed it to Dr. Stephenson, who was responsible for two of those ministries. At this point, we have asked to meet with the Premier (Mr. Peterson) so we can put across the point that you have eight or nine ministries who are key involvers, but you have no co-ordinating group. There is no co-ordination in the structure at the local level or at the provincial level.

When discussing learning, you always have to think of the adults first, not after. What effect is this legislation going to have on adults? When you are drafting it, you start thinking from the beginning about what the impact is for adults. I doubt if it was thought about really, or if it was just the concept of following along with what we have for youth in our system.

Mr. Guindon: Is that your recommendation?

Ms. Terry: What is that?

Mr. Guindon: What you just said.

8:30 p.m.

The Vice-Chairman: Are you asking if that is her recommendation to this committee or to the minister? It is a very big issue and a very big

question which this committee cannot address directly. None the less, it is important for us to know a little more about it than we do. The bill does impact on the question in such a way that it is important for us to know how important the question is in the first place, so we can evaluate how important the impact is.

Mr. G. I. Miller: There is a 20 per cent figure with regard to grade 9, but is it not 40 per cent of students who do not complete their secondary education? That is the figure I have heard many times in the Legislature.

It is an important role you have to play. However, this afternoon we had the Hamilton Board of Education making a presentation to us. I believe they said the separate school board was providing an extremely good program in Hamilton which was utilized to a great extent.

In my own riding of Haldimand-Norfolk, which is basically rural, a lot of adult education programs are provided by the local board. Maybe there should be a little more seed money put in to make sure that does occur.

How do you feel we can apply it as far as Bill 30 is concerned so as to co-ordinate it between the public and separate boards?

Ms. Terry: Our position has always been that there should be local councils in each community which all providers of adult education are on, so they can talk at what they are doing.

We hope there is some amendment in the bill that deals directly with the problem of adult education—so it is not an add-on as it is now—and how you can get the school boards in a region to offer as many programs as possible to make sure there is as much participation as possible.

We have already approached them by saying that there should be councils, but those councils have to be compulsory—or there has to be some compulsion to it—because the councils that exist in Ontario now are run on a voluntary basis. Sometimes they work well and sometimes they do not.

If there is no stick or compulsion to say they have to work together, then when a tough question comes along the councils usually fall apart. The volunteer councils that exist now in Ontario have up-and-down cycles.

Their co-ordination has to be at a local level as well as interministerial at the provincial level. They need to be empowered in some way by legislation or given some kind of funding mechanism that says this council is responsible for making sure that the adult education component is readily and widely accessible in the community. It is the council's responsibility, and

it has been given that responsibility; so it cannot just walk away from it as a volunteer group when it does not have enough money or time volunteered, or if it comes up against a tough question and it does not want to cause dissension in the community, there is no compulsion for it to work that out to a resolution.

Unless the councils or the co-ordinating groups are given an agenda which they are expected to meet and there is a governing body that makes them responsible to meet that agenda, then it will not work.

Local education councils work the best in Alberta. They are given an agenda to organize and co-ordinate continuing education in that region, and they are given the funding to distribute. The funding goes to the council to distribute to the groups that are offering courses. Then, because they have the funding incentive, as well as the authority and the responsibility to make a decision, they work and they work very well.

However, the way they have been working on a volunteer basis in Ontario does not work that well. OACE has been trying to get local councils going for a long time. If it is only a volunteer activity, it falls apart. An issue like this would probably cause it to fall apart.

Mr. G. I. Miller: The only other comment I would like to make is that there are people from the Ministry of Education here tonight, and the committee will be making recommendations; it may well be part of the process of bringing in Bill 30 that some mention of this may make your point.

The Vice-Chairman: I think the point at which this impacts on Bill 30 is the effect on educational services that are either there or potentially there and the propensity to fragment them. We are proposing, I think, some requirement on separate and public boards that they establish joint consultative committees to review areas of common activities, especially in specialized service delivery. This could be one of them that could be mentioned in that context, even in the bill.

The bill itself will not formally address the larger question of adult education, and we might very well, as Mr. Miller suggests, incorporate this among our recommendations to the ministry as one of the impact areas of the bill that need to be looked at and therefore might require further amendments or additional legislation to progress.

I want to thank you for coming and giving us further information on that issue. I wish you and

the Ontario Association for Continuing Education well as you pressure us to do more on this subject.

Our next presenter is the York Region Roman Catholic Student Group; item 871. I wonder if the members of that group would come forward to the chairs before us and seat themselves at the microphones.

We welcome you to the committee this evening. There are sufficient chairs for you, are there?

Mr. Landolt: We have eight people.

The Vice-Chairman: Perhaps you could bring chairs forward and seat them at either side.

May I advise those of you who are away from a microphone, if you wish to speak—perhaps one or two of you would come to the other side and then you would be closer to the table and you would be a little more coherent as a group—lean towards the microphone if you are on the edges and away from the mike if you want to get picked up by the recording devices in the committee room. Whom do I recognize as the chairman of the group?

Mr. Landolt: I will act in that capacity.

The Vice-Chairman: You will act in that capacity; the natural leader is taking charge. Would you introduce yourself and the members of your group, please?

YORK REGION ROMAN CATHOLIC STUDENT GROUP

Mr. Landolt: My name is Philip Landolt; I am a student at St. Robert's High School. To my left is Marcella Quattrociochi, who will be the other spokesman here this evening; John Grisolia, from Father Bressani, a school in Woodbridge, is beside her, and Kevin Bester from Brother Andre. Leslie Nyitrai is my counterpart at St. Robert's. There is also Mike Dennis from Sacred Heart in Newmarket. Monique Picavet goes to Sacred Heart as well, and Nicolette Pinto is from Brother Andre in Unionville.

First of all, we would like to thank you for this opportunity. We feel we have definite opinions and insights which might be very valuable in finally resolving this issue. Of course, we have nothing really to add about the constitutionality and everything, but we might be able to assist you because of being actively involved as participants in and products of the Catholic separate school system.

8:40 p.m.

I would like to start out by introducing some of the inherent differences in the Catholic system. First, the most obvious difference, religion, is

not confined to a 45-minute period. People who might not be familiar with the system might suspect religion is inherent in any aspect of the school. It takes effect in almost anything we do. For instance, every morning we have masses and prayer. Even the most functional activity such as a graduation will have something such as a mass just to have that spiritual element. There is that spiritual flavour to anything we do. It is a common bond; it is a fabric that unites the whole system.

The primary purpose is actually to give us an education, as any student in any educational system would receive, but there also is the Catholic philosophy inherent in any aspect of our system. Those are a few of the things. We have religion classes of 45 minutes. We have masses. There is also our philosophy; that is, the respect for human life from conception to natural death, certain things that might be different from the average morality on the street. We feel there is a place in this pluralistic society; we are interested in contributing.

The most obvious difference is that we all wear uniforms. I do not think this is segregationist; it is sort of a visible sign of respect for our ideologies. Of course, there is the cross on all our uniforms and so on. That is quite an obvious difference. That is the main slant of the Catholic system.

There is the educational objective, but we also have an ideology we want to impart to our students. Our teachers come into effect in that aspect of it. They are Catholic, or at least predominantly so. They can offer the Catholic doctrine to us, and ideologies we feel will help us both in our Catholic community and in our civic community. We are very much involved and responsible to our civic communities.

What we are saying here is that there are differences, but perhaps we do share common values and objectives with the public school system, such as a good education. We feel that we are participants in Ontario, all of us, and that we do receive a high-class, world-class education. We are a benefit with this extra little dimension of the Catholic school system.

We are not segregationist in the real sense of the word. It might seem a little divisive. I think that was initially brought up when the issue was first expounded upon and introduced, that the Catholic system is segregationist, but we are not. We do realize there is a smaller community, the Catholic community, but we are also responsible to the larger community.

For instance, we do share the common ideology of education. We have the same

diploma, system, courses and guidelines. We compete against public school teams in anything, from Reach for the Top to sports. It is not as if we are displaced or some kind of microcosm. We are interested in the world around us. We are a part of the community; we feel very important to it.

Another aspect is religion class, which might be the centre of the divisiveness. For a lot of lay people who are not familiar with the issue, we do have world religion courses. Of course we learn respect for other religions. That is the first step in understanding and dispelling racism and prejudice, because as Catholics we believe salvation is directed to all people. That combines with the idea that we are not segregationists.

Just to conclude: It is not the Catholic school system that is divisive; it is the actual leaving of the issue for so long. After all, for 150 years it has been a point of contention. The problem may have been leaving this to fester and perhaps not living up to a constitutional obligation, which is as we must see it. It is in actuality not deciding and having certain acts which might quiet the population.

There are interests involved, and as a Catholic student, I do have definite interests. But I would like to point out that education is the main goal here. All of us are in for that. We have certain constitutional rights. We are not segregating ourselves. We believe education is important, and the extension of funding will only facilitate this.

Marcella will continue.

Ms. Quattrociochi: My name is Marcella Quattrociochi. I attend Father Bressani Catholic High School. This is the second part of our presentation, and it involves our belief that there is need to be selective about the people who will work and study in our Catholic school system.

Our faith, first received and nurtured within our homes and our parishes, continues to be developed in our school environment. Our Catholicism is very important, especially in our adolescent years. We encounter many problems in those years, and it is nice to have the support of the Catholic community and of Jesus Christ manifested in our school. Usually our schools are extensions of our homes and parishes when it comes to living and practising our faith.

We would welcome persons who were prepared to share this faith outlook. If these people were sincere, they would add to the spirit of our school. Such non-Catholic teachers and students would reinforce and add to the Christian atmosphere in our school. On the other hand, the presence of a sizeable minority of non-Catholics

who are not committed in the existing faith environment would likely result in the estrangement of the two groups.

If the non-Catholics were a small minority, they would feel out of place, and a possible crisis in the identity of the school could result. Such confusion would hinder the development of a strong and united school spirit. It would be impossible for a school with two distinct sections—non-Catholic and Catholic—to have a united school spirit. Not feeling fully at home might also hurt the academic progress of the non-Catholic students.

Such non-Catholic students who freely choose to attend our schools would feel obliged to participate in the religious programs of our school. The ministry has guidelines of what subjects are compulsory. In the Catholic school system, we believe religion should be compulsory because we are learning about God, religion and Jesus, and those are the most important subjects to a Catholic student.

Students and teachers in the Catholic school share a common bond. This common vision gives purpose and builds a sense of community. This faith also inspires us to work together. Non-Catholic teachers who do not share the same vision would be unable to provide us with the same kind of faith-witnessing.

Essentially, what we are saying is that a non-Catholic teacher, even the best one, could not give us the Catholic answer to any questions we might have about religion, ethics and morality. A non-Catholic teacher could give us a humanistic answer, but when I chose to go to a Catholic school—when we all chose to go there—it was because we wanted a Catholic education and to hear a Catholic approach to life so we could live in our environment in a Catholic sort of way.

We wish to conclude that government funding should be extended to the separate school system of this province. It would complete our school system and would solve some of the problems related to lack of adequate facilities.

Personally, when I applied to a Catholic high school, it was overcrowded. We suffered a lot because of that. We were sent to an annex. It was not until I was part-way through grade 11 that I realized what a real gym was. My school still does not have an efficient library, and I am in grade 13. I wanted to go to a Catholic school to learn about Jesus Christ and my other subject areas. To realize what it fully means to be a Catholic in our society today, I gave all those things up. We feel we should not have to give those things up for a Catholic education. We

think this legislation would serve the cause of justice.

On behalf of all the students from York region, I would like to thank you for listening to us today. All of us are open to any questions you would like to ask us.

The Vice-Chairman: We have had two spokesmen. What kind of job did they do? Did they represent all your opinions? Do any of you wish to make another point before we ask members of the committee whether they would like to ask you some questions?

Mr. Dennis: I wish to add to what Phil mentioned and elaborate a little further. The values we are taught in the school system do not remain segregated to our system or a Catholic clique. We hope they are active and are superimposed in our civic responsibilities and duties so that we are functional citizens and so that this Catholic philosophy and ideology will only benefit us in developing a firm morality and approach to truisms.

8:50 p.m.

Mr. Offer: I would like you to rest assured that you are not the first group of students from a separate school that has imparted some of its knowledge to us. It is an immense help to give us some idea of what the separate school is and, as best you can, some idea of the feeling that pervades throughout. It does help with our deliberations.

My question is with respect to outside the school. We have heard from persons in other representations at other times that the fact that one goes to a separate school segregates or dissociates one from those students who are in the public school system, and that this dissociation or segregation is something that is or should be of concern. My question to you is, from your experience outside the school, after school and on weekends, can you give us any idea as to whether there is a dissociation?

Mr. Landolt: That is a very valid question. There are spheres of influence. For instance, if you are on a hockey team—I played hockey for a long time; this is a personal opinion—there are the people who go to the separate school and the public school, but you have common interests and common experiences. It is a pluralistic society, and there will be groups in any undertaking. The fine thing about being involved in the community is that these spheres of influence are sort of eroded; you learn to understand other people. On this hockey team, after a few years or a certain span of time, we

were all the best of friends and there were no apprehensions or pretensions. We got along fine on the street.

You are a lot further away from your Catholic community than you are from your civic community because you live right in the midst of the civic community. You play road hockey and you have friends. I personally had no problem assimilating or participating with my friends. I went to cub scouts and things like that and had no problem whatsoever.

Certain individuals might be segregated, but the Catholic philosophy teaches respect and understanding for other interests and other denominations. That is very important to remember.

Mr. Offer: Thank you. Is there anyone else who might wish to share some after-school experiences with associates, comrades or friends who are now and have always been in the public school system?

Ms. Picavet: I have a lot of friends outside my school. My brother attends a public school, and the fact that he is my brother pulls me together with him. We are involved in other interests and organizations outside of our school that pull us together with our friends, just as Phil was saying. The fact that we do not attend the same school does not stop us from having relationships with people who do not attend our school.

Mr. Landolt: Everyone who has a job experiences that. For instance, she and I worked at Canada's Wonderland, and you can imagine the variety of people there from all parts of Toronto; it is a great place. In any sort of media, you can meet other people. The Catholic school system does not prevent you doing that.

Mr. Offer: Is there anyone else who wants to add something?

Mr. Bester: Where I live, in Unionville, a new school went up; it is called Unionville High School, and it is a public school. Most of my friends who live in Unionville are non-Catholics; they decided to go to this school because it was big, it was new and it offered a lot of courses.

A lot of my friends asked why I chose to go to Brother Andre. It is not very close—it is in Markham—and I get a bus there. Most of my friends from my Catholic school went there, but not that many from grade 8. It is just grade 9 as of now. Right now we are in a portable. In grade 11 we are getting a new school.

Most of my friends on the street go to this new public school in Unionville, and outside of school activities, when I come home, I have no

problem getting along with them. We associate together and we never really talk about Catholicism.

Mr. Offer: That is an important point. What you are saying is that the freedom of association is not only for you who attend the separate school but also, from your experience, for those who attend the public school; they also have no real problems. It is interesting that this perception of difficulty in association seems to be in the minds of the adults and not in the minds of the children who are attending the schools.

Mr. Guindon: A presenter this afternoon mentioned something about Roman Catholic schools not being multicultural but this theory is shot down on reading the names of the people in front of us tonight.

I do not have a question on the brief itself but I am just curious. Could you tell me what that lapel pin on your left shoulder means?

M. Landolt: C'est un macaron pro-life.

M. Guindon: C'est quoi? Ce sont des pieds?

M. Landolt: Oui, c'est ça. Ce sont les pieds d'un fœtus. Et les autres, c'est la même chose. C'est parce que nous avons une morale dans une école catholique, et on peut la montrer. C'est un autre fait très important dans une école catholique.

M. Guindon: Très bien. Merci.

Le vice-président: Est-ce que tous les autres veulent parler français aussi? Non?

Mlle Quattrociochi: Un peu.

The Vice-Chairman: We know that some of the teachers in the Catholic system are not Catholic. Do some of you have non-Catholic teachers for some of your subjects at this time?

Mr. Landolt: I can speak for our school. We have been made conscious of the fact there are different denominations, other teachers, but the whole idea is not so much that they are non-Catholic as that they do not have the opportunity to express these non-Catholic views. There is a small minority and they really are not evident.

If we were really diluted with a lot of non-Catholic teachers, although they may be quality teachers and quality human beings, the Catholic angle would not be there. It is a certain insight in a true believer. In the outside world there are different values and Catholics respect that, contrary to what many people might believe. There is a certain urgency that our teachers impart these values to us students.

The Vice-Chairman: I gather you are telling me that you have not noticed that the non-Catholic teachers have outwardly any very different value system in their behaviour towards you or the way in which they function in the classroom.

Mr. Landolt: Yes, sir, but if I may qualify that, it is because they do not have the liberty to expound upon certain other views. If they did, we would not have non-Catholic teachers.

The Vice-Chairman: Could I ask you whether they appear to be unduly repressed?

Mr. Landolt: No they do not. They function perfectly well.

The Vice-Chairman: So they do nothing that would lead you to suspect that they were repressing another value system in order to adopt one that was alien to them?

Mr. Landolt: No, sir, but I believe that if there were a greater number, the circumstances may change a bit.

The Vice-Chairman: Do you find that they participate in the full range of activities in the school? Do they work in extracurricular programming? Do they attend with their classes at religious observances and what have you?

9 p.m.

Mr. Landolt: We do not even know who they are. I am sure that every teacher we have is a high-quality teacher. If they are en masse in the teaching body I am sure they do participate well. Speaking for myself, I do not even know if we have any. I am sure they cannot be part of the sacraments. That would make a bit of a difference, would it not, that they were not genuine Catholics if it came down to it?

The Vice-Chairman: I suppose it would. We have had Catholic principals tell us they have been singularly impressed with most of the non-Catholic teachers in the system whom they have had under them, and that, by and large, there does not seem to have been either the desire or the urge to present themselves other than in a fairly natural, professional way in their capacities in the schools. It would appear that the principals have really appreciated their presence in their schools.

You appear not to observe a great difference between your Catholic and non-Catholic teachers in the classroom. That would suggest both that the system is not discriminating against them, and that they are being clearly professional in the performance of their duties.

Mr. Landolt: Yes, I would echo those sentiments. They are very true.

Mr. G. I. Miller: Just to follow up, do you have any non-Catholic pupils going to your school?

Mr. Landolt: Yes, we do. I know of a few but there are different rites in Catholicism. The Catholic system is open to any student, providing we have the room. If you could furnish us with the facilities and the room, I am sure we could see things happen.

The Vice-Chairman: We have heard that before.

Mr. Landolt: If they are, it is incumbent upon them to observe our religious life which, as I pointed out in my brief, is quite apparent and ubiquitous in the school. We do have non-Catholic students, yes.

Mr. G. I. Miller: You do not mind sharing that life with somebody else? It might rub off and give them some guidance as they grow older.

As members of the Legislature it is difficult to know a Catholic from a Protestant. We rub shoulders with them and we have played hockey and ball with them. You cannot tell the difference.

Mr. Landolt: That is very true. The system is not segregational. We were not an elitist, self-centred, self-serving group.

We must keep in mind there are inherent differences in the system. It is going well. I do not see any friction between the two factions, other than that the adults have different interests that come into play. As has been pointed out, it is working well and there is no friction.

The Vice-Chairman: Are there any other points members of the committee would like to explore? Any comments, finally?

Mr. Dennis: I would like to make one final comment. I do not know whether you were anticipating this in your questioning, but I think the imparting of faith and faith values does not stop at the religion-class doors. It permeates all aspects of our education, our liturgical life and our social groups, inside and outside the school.

When we look to a teacher whom we can emulate, we hope he too will share the same values, and be able to relate and have that same commonality about him. Faith issues and values often arise outside the religion class—in science, in the various liberal arts courses; in English, for example. That is where there can be a division on matters. That is why it is important to preserve the integrity of the teaching staff as far as a foundation of faith values is concerned so that any pupil can feel he or she can turn to them at any time.

Many times a student has an inclination to go to another teacher outside the religion class either for advice or for some sort of information or some spiritual direction. It is very important for them to be able to relate and share this common bond.

I hope the school acts as a springboard for developing those faith values.

Mr. Landolt: If I may conclude, I would like to thank you cordially for your time. We hope we have helped in some capacity and have answered some of your queries about the values of the existing Catholic school system. We urge wholeheartedly some extra funding; we are confident we will see it through and that a great inequity finally may be dissolved.

The Vice-Chairman: Thank you for coming. As Mr. Offer has said, we have always appreciated the presence of student groups before our committee. We trust that you will go on to greater and more ambitious efforts of lobbying in the future now that you have got your feet wet.

Mr. Landolt: All right. Thank you.

Mr. G. I. Miller: What is that? Could you explain it to us?

Mr. Landolt: This is a foetus at 10 weeks old. Of course, it is just showing a sort of visible sign of the humanity of the foetus. Pro-life is another aspect, as I was telling Mr. Guindon.

Ms. Quattrociochi: It is a very popular sign.

Mr. Landolt: We are a very structured and very vocal pro-life group and that is an interesting dimension, as I was telling Mr. Guindon.

W. MILLAR

The Vice-Chairman: Would Mr. Millar come forward? This is brief 872, for the members of the committee. If you would seat yourself, Mr. Millar, I would remind you of what I have told others. It is important to keep fairly forward for the microphone and for the recording system so that we can hear every word.

Mr. Millar: I will do my best.

The Vice-Chairman: Proceed with your brief in whatever way you feel most comfortable.

Mr. Millar: I would prefer to read it, if possible, please.

The Vice-Chairman: That is quite all right. No problem.

Mr. Millar: I get nervous when I am in situations like this.

The Vice-Chairman: Although the briefs are sent in advance, we do not normally have

sufficient time to read them all, so take your time.

Mr. Millar: Thank you. Before I begin the brief, I would like to indicate to the committee that I teach elementary school in the public school system. However, I am presenting this brief as a parent of two children; one is two years old and the other is five years old, so I am here more as a parent than an elementary school-teacher.

I have a number of concerns regarding the implementation of full funding to the separate school system as outlined in Bill 30. It would seem to me only judicious that the public fully comprehend all the possible ramifications of this proposed legislation.

The tremendous cost of implementing this program comes at a time when politicians should be demonstrating restraint and fiscal responsibility. The duplication of services will place a strain on an already over-taxed public. Much needed revenue will be directed towards what I believe to be frivolous expenses, such as new board offices and schools either across the street from each other or in very near proximity. Services, such as professional libraries, curriculum departments and central supply stores, will be duplicated. Busing costs will deplete limited revenues that are sorely needed for the students of this province.

As an example, some boards of education already allocate more moneys to busing than they do for all instructional supplies, including such items as textbooks, notebooks, gym and lab equipment, technical supplies and library books. Will not the increased busing be deemed wasteful in the light of the very real need for additional money to support new programs in our rapidly changing society?

Will the extension of funding to grade 13 ensure the optimal use of present and proposed facilities in both systems? It would seem to me there is a very real possibility that one school may have empty classrooms while a school in the same neighbourhood could be overcrowded and need portables.

Will the extension of funding ensure maximum flexibility and programming for our students? Would it not be prudent to consolidate rather than expand?

An area of concern which to my knowledge has not been addressed is the difficulty of having children in the two systems. For example, if a ratepayer had one child in the public school system and had a second child who was of junior kindergarten age, would this child be able to

attend this class if it was only offered by the separate system, and vice versa? If both systems were publicly supported, it would seem only just.

9:10 p.m.

Another area of concern that I hope will be fully investigated is the question of funding for all other denominations. These parents, in turn, would feel that their children would benefit from a sectarian education. The schools in many instances are already operational and are anxiously awaiting implementation of Bill 30 to press their demands. The repercussions of publicly funded denominational and/or private schools would, in my opinion, stratify our society to an unacceptable degree.

This committee, to my mind, must endeavour to receive a definitive answer to this question before it publishes its recommendations. To have full funding upheld by the courts for all denominations as a result of this legislation is unacceptable to me. The principle of separation of church and state must be upheld. The members of this committee, I am sure, would find it repugnant if they believed their ability to be elected to the Legislature was based upon their religious affiliation.

There has been much said about the alleged inequity of limited funding to the separate school system in Ontario. To my mind, the real inequity lies in the fact that a portion of our society has the option of two publicly supported educational systems to grade 10 in Ontario, while a significant portion does not.

I would like now to explore with this committee what I perceive to be the fundamental issue that has the possibility of shaping the very social fabric of our society in the years to come. I would hope the members of this committee truly vote according to their conscience and leave political expediency aside.

As a Canadian, I have always been educated to respect and take pride in our diverse religious, cultural and ethnic backgrounds, understanding that this makes Canada truly unique in comparison to many other nations. Our ability to put aside all perceived differences and stand as one has been upheld as a model to the world.

The recent passage of our Charter of Rights, in particular subsection 15(1), guarantees freedom from discrimination on the basis of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability. How can a publicly funded system support our charter when the primary requisite for hiring staff and the common denominator for the students is membership to one particular religion? The word "separate"

itself, unfortunately, is an appropriate description, as it does separate the children of this province and does little to recognize the composite nature of our backgrounds.

I have always believed we are all God's children, created equal. To that end, I am requesting that this committee recommend a unified school system that would facilitate tolerance and understanding.

Children do learn by example. The extension of separate school funding will build new walls, not only the walls of new schools, but more important, walls between our children of a more subtle nature. Unfortunately, these are walls that encourage differences rather than similarities. To my mind, unity is preferred to separation, cohesiveness is preferred to fragmentation, co-operation is preferred to isolation and progressive legislation is preferred to following principles that were deemed necessary more than 100 years ago.

For the sake of all the children of this province, I respectfully request that this committee recommend that the legislation not be passed until time has been taken to investigate and publicly debate all alternatives. In particular, I would suggest that moving towards a unified system would truly be a positive direction for education in Ontario.

In closing, I would like to relate to this committee a conversation I had with a candidate in the previous provincial election. I communicated my desire that one system be fostered in Ontario that would welcome all children, no matter what their race, creed or colour. He indicated I was talking about an ideal system in an ideal society and that was not realistic or attainable, given the political realities of the time. I believe firmly that to sacrifice ideals or to settle for anything less than the best when it comes to our children is and always will be an untenable position.

The Vice-Chairman: Thank you very much. Do I have any questions from the committee?

Mr. Offer: Yes. On your first page you talked about the duplication of services and what not. It is not the first time we have heard of the possible duplication of services in the representations we have heard. However, it has been made quite clear by the Minister of Education (Mr. Conway) and the Ministry of Education that where at all possible there shall not be a duplication of services and there shall be sharing in all possible circumstances.

I would like to get your sense of the possibility of sharing. As an elementary school teacher, do you have any experience you could share with us

with respect to co-operation between separate and public schools? Perhaps you could tell us where you teach.

Mr. Millar: I teach in Peel. I live in Burlington and I teach industrial arts and art. My association with teachers is through family and relatives who teach in the separate school system. Other than that, I have met students through the faculty of education who went on to separate school education. The only time I have come in contact with separate school teachers would be at industrial arts conferences, or something along that line, where we would all be coming together.

I think this division is readily apparent, even in Peel, where brand new board offices have been built across the street. There is no sharing of boardrooms, nothing along that line. It seems like a tremendous waste of resources and money at a time when people could be consolidating. This expanding in two different directions is my concern.

Mr. Offer: It is interesting that you bring up Peel, actually.

Mr. Millar: I am not representing Peel in any way.

Mr. Offer: No, but it is interesting that Peel, like York region, is unique. Both the separate and public boards are expanding. They probably have difficulty sharing, not because they do not wish to share but because they are both packed to capacity right now.

I want to get some idea from you of the problem of and your concern about duplication and to indicate to you that is a concern many members of the committee share. It is a concern which has been brought to the committee by other persons and it is something which shall be combated in any and all possible circumstances so that there shall be a fiscal responsibility. I would like to indicate that to you with respect to this issue which you brought up.

9:20 p.m.

The Vice-Chairman: We have encountered a remarkable amount of sharing across the province, in some cases much more extensive than others and in some to the point where some boards have co-operatively planned and developed the physical plants of schools to house as many as two or three different major programs. They have all gone into those ventures with a great deal of apprehension and come out with a great deal of satisfaction. There are other arrangements where there are just two facilities

inside a single building and there is no further sharing.

Our intent in the bill is to try to foster that kind of development by requiring some kind of joint structure between the two boards or force them to consider possible areas of joint delivery of service on a regular basis.

With regard to your question, it would appear the bill will provide for the possibility of having children in both systems with free access and with exemption from religious studies in the case where a program is required and is not available in the public system. Your example of a junior kindergarten, where it would not be available in one system but in the other system, would be—

Mr. Millar: So there would be a transfer from one to the other.

The Vice-Chairman: —a case in point, and there would be no problem in that respect as I foresee the bill.

If I might make a comment, your note at the end about idealism is very well taken. The problem is not a question of idealism versus political realism, although there is a certain measure of that.

How are we going to realize our ideals? We have to do it in a real world where we have to assess what we can do, when and how much and what it will cost. I can see your last sentence appearing in almost those very words in many of the Catholic briefs: "I believe firmly that to sacrifice ideals or to settle for anything less than the best when it comes to our children is and always will be an untenable position."

That is where the issue is joined, where ideal sits beside ideal and the manner in which one wants that ideal fulfilled tends to be exclusive of somebody else's ideal. That is where the real debate begins rather than ends.

Mr. Millar: The point is well taken. I can understand.

The Vice-Chairman: Is there anything else you would like to share with us before you go?

Mr. Millar: No, it is getting late and I am sure the members of this committee would like—

The Vice-Chairman: Yes, it is getting late, but then that is the way these meetings have been. Mr. Guindon?

Mr. Guindon: Mr. Millar, could you tell us if you think separate school funding extension would hurt your job at the elementary level or affect it in any way?

Mr. Millar: Not my position, I have enough seniority. That is not a concern for me.

Mr. Guindon: Will it affect somebody in your school?

Mr. Millar: Peel is growing and I believe it is mostly going to impact the secondary schools. I am not aware of that as it relates to my colleagues, especially in Peel. Most of the people have a number of years' seniority and it is not a real issue, to my mind.

Mr. Guindon: Do you think it is an issue at all at the elementary school level?

Mr. Millar: I have read some of the reports and I believe it is, certainly at the secondary level, but I have not given it a great deal of consideration. My purpose in speaking was more in the ideal.

Mr. Guindon: I understand what you are saying.

Mr. Millar: Not among the elementary people I have talked to and deal with, no.

There are Catholics who teach in our public school who I am sure feel the same way I do. I am not coming from the Catholic facility, so I cannot speak for it. We have difficulty telling which teachers are Catholic and which are Protestant, the same as in the separate school system. That is not an issue in our board.

I grew up in Peel and I can remember grade 8 guidance. I was a certain religion—it was not Catholic but that is not really important—but I always felt that if there was a God, he was my religion. I think that is part of human nature. If I was born in another area of the world, I would have had a totally different idea towards God.

During our guidance class, different members of the ministry came in and talked about God and their perception and humanity and so on. All of a sudden it dawned on me after our minister came in that these people were saying the same thing. I think that is a healthy thing to foster, not only in teaching but in the way we were brought together—all faiths, religions and creeds and so on.

That was important to me and that was what I wanted to leave with this committee more than the costs and so on. My main reason for coming was the hope that my children will have that opportunity and not to have children go to an exclusive, private school.

I would like them to grow up with all the children in their community in a multicultural, multireligious background. I can also appreciate that we did not have Catholics in any shape or form. I can understand why they feel it is important to them, especially being brought up in

a province where that was guaranteed to them to grade 10.

However, I do not feel the extension of funding supports my values in terms of education in our community.

The Vice-Chairman: Thank you very much. We always appreciate individuals taking the trouble to come before us.

Mr. Millar: Thank you for taking the trouble to hear us. That is democracy.

The Vice-Chairman : We will be reconvening, members of the committee, on Monday, November 18, at 3:30 p.m. after routine proceedings.

The committee adjourned at 9:25 p.m.

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Guindon, L. B. (Cornwall PC)

Johnston, R. F., Chairman (Scarborough West NDP)

Miller, G. I. (Haldimand-Norfolk L)

Offer, S. (Mississauga North L)

From the York Region Roman Catholic Student Group:

Bester, K., Student, Brother André Catholic High School

Dennis, M., Student, Sacred Heart Catholic High School

Landolt, P., Student, St. Robert's High School

Picavet, M., Student, Sacred Heart Catholic High School

Quattrociochi, M., Student, Father Bressani Catholic High School

Millar, W., Private Citizen

Terry, W., Past President, Ontario Association for Continuing Education







No. S-83

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Monday, November 18, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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Vice-Chairman: Allen, R. (Hamilton West NDP)

Bernier, L. (Kenora PC)

Davis, W. C. (Scarborough Centre PC)

Epp, H. A. (Waterloo North L)

Guindon, L. B. (Cornwall PC)

Jackson, C. (Burlington South PC)

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Monday, November 18, 1985

The committee met at 3:50 p.m. in room 151.

EDUCATION AMENDMENT ACT

(continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: We are running a little late because of the unruly nature of the House and the incapacity to understand what Mr. Bill Davis was saying today. It was not for the usual reasons of incoherence; today it was because of the terrible throat problem he has. I am sure this will not restrict his questions in any way. Mr. Bernier will leap in if necessary.

Mr. Davis: May I announce now that at 4:45 p.m. my colleagues, who are coming, and I, have an appointment with our new leader. We will have to leave.

Mr. Chairman: I appreciate that you told me about that in the House. That is why I thought we should get going as quickly as we can, given that we are a little late.

KENORA BOARD OF EDUCATION

Mr. Chairman: I would ask our first deputa-tion from Kenora to come forward. We have not seen them for a while, since we were in Thunder Bay.

Mr. Bernier: As the member for Kenora, I would add a very warm welcome to that of the chairman and the minister to Mrs. Edna Kidd and Mr. Emil Uhrynuk.

Mr. Chairman: We enjoyed our first period with you, but as all members will recall, at that time there was some new information out about a dissent over a decision of the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario. None of us had had a chance to look at it at that point, even though it became available to us that day.

We agreed that we would try to get in touch with you and have you come before us again. We are glad you could be here with your exhibit 334B that we now have as a presentation. We will allow you to proceed as you did last time. Just take us through it in any way you like and then I will open it up to questions.

Mrs. Kidd: Thank you very much, Mr. Chairman. I was under the impression that it was for our sake we were asked to come again; now I realize it is for yours. Whichever way it goes, we are very happy to be back again. We must thank you for the opportunity to give a second presentation.

This presentation is based on the minority report tabled by Mr. Fraser to the minister on June 7. I understand it was due to the intervention of the Ontario Public School Trustees' Association and this committee that our board finally was presented with the minority report.

The Kenora Board of Education is most grateful for the report and to you folks for making it available to us. On my own behalf, I have to thank you for my sanity because at that stage I was going a little bit hairy, being turned around from one to the other.

The minority report was tabled by Mr. Fraser, a man who has had experience in both small and large school systems and who as a member of the planning and implementation commission listened to presentations from all parts of the province and all sides of the issue. This surely would indicate a considerable knowledge of the subject. Yet Mr. Fraser's report said exactly what had been said in the previous briefs of the Kenora Board of Education, namely, that to create two secondary schools in small systems not only would add to the difficulties already experienced by small school boards, but would have a disastrous effect on the programs that both schools could offer.

Even at that it would be at a considerably high cost to the local taxpayer who, I might add, is already burdened to the limit. We believe there are other methods of solving the problem of religious education than depriving our students in the community of their right to equal educational opportunity.

We agree with Mr. Fraser's statement that, through co-operation and modifications in the legislation, both the educational and the religious needs of the students could be met. We agree that one school board with a mandate to provide classes in religious education and to offer chaplaincy and guidance services in an appropriate religious framework would be the ideal.

The Kenora Board of Education is willing to work towards this end. However, after a recent meeting with our coterminous board we must admit we see many problems that could arise from the legislating of one board. Certainly there was no agreement between our two boards on this issue.

Perhaps another solution would be to remain with two separate boards but return to one secondary school where the aforementioned services—the religious education, the guidance under the appropriate religious framework, etc.—could be provided.

I am sure there are other solutions that can be investigated. I can assure you that the Kenora Board of Education is willing to work with the minister, the ministry, the planning and implementation commission, the Kenora District Roman Catholic Separate School Board and anybody who could appreciate and work with us to provide these services. We would even welcome third-party assistance to make sure all avenues were followed.

We are prepared to go all the way, as far as we have to go, wherever we have to go, to ensure that all students in Kenora—not just the public students and not just the separate school students, but all students in Kenora—are assured of equal educational opportunity with the rest of the province.

We do have other statistics, etc., to add to the ones previously given and I am going to ask Mr. Uhrynuk to go over them.

Mr. Uhrynuk: From the first page of the brief, I would like to repeat and acknowledge our thanks and appreciation to the committee for allowing us this additional opportunity to make our facts known and indicate our concerns regarding the avenue that secondary education might take if we try to develop two parallel systems with a declining secondary school population.

One thing I have tried to do is extend some of the figures further into the future than 1989, as the impact statement requires. Although some of the information there does not look very good from the view that things appear to be on the decline economically and in population—not only the school population but the general population—it is not doom and gloom. However, I am trying to deal with realities and what will be the basis for a sound education system 10 and 15 years down the road.

On page 4, the first indication I have there is the change from 1978-79, when we established one senior secondary school, grades 10 to 13.

The population has dropped from 1,148 students to the present figure of 863. The information is available there, the number of teachers and courses. The average class enrolment has dropped from 22.8 to 21.2.

This might not seem like a significant drop, but 1.5 students for every class in the school adds up to additional teacher dollars or dollars for instruction of those students. From a review of our September 30 report this year, the indication is that we have smaller classes. I expect this trend will continue as our population declines.

From the projections I have been using, our grades 10 to 13 population could decline to around 600 by 1990 or within two or three years after that. In September 1986 we shall be moving our grade 9 students, who are in a different building. This will add about 185 students to that building in order to create efficiencies in our programming and to make sure that services, especially in the area of co-operative education, special education, gifted, learning enrichment and guidance services, are available to all our students on the same ground.

4 p.m.

To go back to the question of our declining enrolment and the establishment of another secondary school, the present population in grades 9, 10 and 11 of Thomas Aquinas separate school is about 150. There are 76 students in grade 9; 52 in grade 10; and 24 in grade 11. I am not sure how they are coping with offering all programs. I expect their program offering is limited to mainly those students who are taking the advanced level.

To have a viable school and to be able to offer the variety of other courses at other levels, general and basic, requires a higher population than that or the possible 250 to 300 they might reach in the next four to five years.

The statistics on page 5 indicate the present enrolments. These are combined enrolments from both systems. Our total high school population in both systems is 1,201 this year. We expect that by 1989 it will drop by 30 or 31. That does not seem very serious. We are very quick to point out that should not lead to the cancellation of a large number of courses. Our concern is what happens after 1989 and going into the mid-1990s.

The projected enrolment for 1989 of 291 grade 9 students comes from a starting class of 315 students in grade 1 in 1981. Our present combined enrolment in grade 1 has dropped to 278. So there are about 40 fewer students in grade 1 in both systems at the present time who

will become the grade 9 class down the road. We think that because of the economic situation in Kenora there will be between 350 and 450 fewer jobs by the end of 1986. The ability to hold young adults with young families in the community may be more difficult.

We have a variety of community committees that are working very hard at job creation. At present there is very little on the horizon that would replace the layoffs at the mill and on the Canadian Pacific Railway. The problem is not only the layoffs but the fact there will be fewer jobs available to young people five or 10 years down the road.

I took a look at the census figures. I went back to 1979 and I looked at the 1981 figures, because they are more accurate. The figures I have here are only as accurate as the census figures, and I am not sure what their range of error is. It was the best information I had available, so I used that.

One thing that has happened is that the number of live births in the Kenora area has decreased quite significantly from just under 400 in the early 1970s to just over 300 in the 1980s. There is no resurgence in the number of children being born in our community.

The figures at the bottom of page 6 are ages one, two and three, our preschool population, and then our junior kindergarten and kindergarten population and our grades 1, 2 and 3. These figures indicate that there is a drop in each of these cohorts from 1979 to 1985, averaging around 8.5 or nine per cent. We feel the effect of the reduction in live births will not have an impact on the secondary population enrolment until the mid-1990s.

Another concern we have listened to from our taxpayers in the community is for the senior citizens, those on fixed incomes, and their problems in coping with escalating costs, not only in education but in all other municipal services that are required.

These figures again are from the statistics. From 1979 to 1985, there has been a 25 per cent increase in the number of citizens in the Kenora region.

An additional concern is that the young cohort, and I looked at the age groups 15 to 17 and 18 to 20 that will be moving into the adult population over the next 10 years, has decreased by 25 per cent.

We have not been able to measure the overall effects of the Ontario Schools, Intermediate and Senior Divisions curriculum guidelines. We know that more programming will be required and that a good number of our students will be

completing the equivalent of the present grade 13 diploma in four or four and a half years; therefore, I expect that the number we have projected for secondary school may decline even further.

There was a concern that was brought to my attention just about two weeks ago. I had several meetings with native groups regarding the study of the Ojibway language in our schools and in the community. In talking to the representatives, they indicated that local reserves—that is, Rat Portage Reserve and McKenzie Portage—are planning to set up their own educational authority. If they do that, I expect they would be looking after the education of their students from junior kindergarten to grade 8 and, if they follow the pattern of other reserves, they would move on to at least grade 10.

If this happens I can see a reduction in our system of about 125 to 150 elementary, intermediate and secondary students within the next 10 years.

Page 8 outlines our dilemma. After we made our submission to this committee in August, we were concerned that we received, if not publicity almost some notoriety and some concern regarding our lack of co-operation between boards. It was pointed out to us that many small boards in northwestern Ontario are co-operating and getting the job done. The thing we found easy to justify was that they co-operate because there was no move by the coterminous boards to extend their classes to even grade 9. In Kenora, however, the board is extending to grade 11.

They have had discussions about sharing programs, possibly in preparation for the board's plans in the future, but that has not occurred to this time. I would name Atikokan, Dryden, Fort Frances, Red Lake and the Lake Superior boards as being those in our region that have not prepared board plans, although I understand they will be doing so.

Our problem in dealing with our coterminous board has come about since the minister's decree on June 12. It would appear we had more productive meetings prior to the planning for the extension, in sharing services and curriculum development, professional development days, transportation and a variety of other things. Over the last year, our meetings have been concerned mainly with the process of co-operation to establish the secondary system, and whenever we wanted to discuss the possibility of a unified board, of sharing all our facilities, teachers and students under some other organization, this was never followed.

Even at our last meeting a week ago last Wednesday, the gist of the meeting was that we would continue to agree to disagree on the one point. We think that having two secondary school systems in our small community will be an excessive cost factor in the duplication of programs not required and, in the long run, will remove programs from our system because we shall not have a student population to maintain them.

Their objective is to have their own secondary school so we may need some assistance on that. The chairman may want to add her remarks at this point since there has been a trustees' meeting.

4:10 p.m.

Mrs. Kidd: I think you have covered it very well. Perhaps at this time it may be better if the panel were to ask questions rather than for us to talk. At least in that way we could give you the information you are looking for.

The Vice-Chairman: Thank you very much. I am glad that you note, and we certainly would have, that the public criticism was not directed at one board or another but that there was equal distribution of that reaction—at least at that time—whatever the reason or justification for it.

Mr. Bernier: It strikes me as very appropriate that the member for Kenora should start the discussion and the questioning.

Madam Chairman, you made reference in your remarks to co-operation and willingness to work towards this end and willingness to work with the ministry, an air of co-operation. I have not been on the committee very long, but I have heard this from a number of different boards. Some boards are saying that it is the separate school boards that are not co-operating, some separate school boards are saying the public school boards are not co-operating.

What has your board done to extend the olive branch or to show signs of co-operation or willingness to move in that direction? We all feel that goodwill and sharing, and a willingness to work together is the answer to some of these problems.

Mrs. Kidd: Our board has made moves to have meetings and, as Emil said, before this came into being we were most co-operative, we had all sorts of shared programs.

Since the separate school funding issue started we have found that no matter how many times we meet, we come out of the meeting with a sense of frustration; we have not come to any solutions at all. We have tried to meet with them.

We discuss a lot of things. I should just read you the agenda for the last meeting because I think it is rather interesting. We discussed sharing of facilities; sharing of programs; sharing of services and costs; recommendations from the interboard working committee report of February 14; the impact of extension to grade 12 on the public secondary system; the course of action if extension of grade 12 is not given approval or if extension to grade 11 is withdrawn; reorganization of boards, unified or umbrella mode; and number eight was co-operative programs, French, etc., things that really have nothing to do with separate school funding.

We discussed all of these items and we are hoping to meet again. Our future directions committee will be meeting with the members of the separate school board to talk about sharing of facilities. If they get approval, they are going to need more accommodation and we will have it in a couple of years' time; the same with sharing of programs.

However, when it all comes down to finalizing something, it is never finalized. We discuss all of these things but we never finalize anything. It is just left in the air.

Mr. Bernier: On page 2—it is not in your remarks—you mention that you are even willing to go to a third-party situation to try to resolve the matter.

Mrs. Kidd: Yes, this was something we thought of today but we would appreciate some assistance to try to solve the problem. We are looking for assistance in deciding which method would be best for Kenora, rather than assistance in sharing if they go to their separate school rather than ours. We would like to see third-party assistance help us come up with a solution to this problem.

Mr. Bernier: Maybe Mr. Uhrynuk could help me here. On page 4 you mentioned you had 1,148 students in 1978-79 and in 1985-86 you are down to 863. Would that mean that the Kenora public school board had space available for grade 11 of the Roman Catholic school system this year?

Mr. Uhrynuk: Yes, we would have had space. In 1978 the school was organized on a different structure, we had more periods per day to allow for the additional students. Now that they are semestered they cannot utilize as many rooms throughout the day in the same fashion; therefore, to expect to put 1,150 students in that school now would be very difficult.

However, we are looking at 185 students in grade 9—we have 863—and we feel we will have

about the same number going into grade 10, so we are going to move our grade 9 students over. It may cause some crowding for one year; but again, with the impact of the Ontario Schools, Intermediate and Senior Divisions document, we already see that probably 25 students will be receiving their grade 13 diplomas in January. It may produce crowding for five months but not for the whole school year.

Mr. Bernier: However, you could have provided the necessary space.

Mr. Uhrynuk: There is no problem this year at all.

Mr. Bernier: They have established what—four or five trailers?

Mrs. Kidd: Yes. They have four portable units.

Mr. Bernier: During the course of the discussions in this room there has been talk about viability in the high school system. Lately we have heard numbers, anywhere from 300 to 500, as a viable unit. Kenora has something like 864 with very little movement. Some would say that could support a two-high-school system. How do you feel about that?

Mr. Uhrynuk: I have difficulty with that point of view. I think it depends very much on the kind of system you have. We have been very proud of the fact we have been able to support a fully composite secondary school, offering the business, commercial and technology courses, and before the change for OSIS, a complete occupations basic level program, plus good athletic and music programs. In that time, we have lost a number of courses, such as Spanish and Latin, and art, music, general business and technology courses. We are trying to restructure so we can maintain at least a nucleus of those in the future. If we do not have the student population that is very difficult.

It is not just a question of declining enrolment, and we are not saying it is because they set up their own system. We are saying we need all of the students at the grade 9 level to develop a class at the grade 11 and 12 levels. Now when we move grade 9 over, what we are expecting to do is start more sophisticated programs in both business and technology, because we feel the students will take them in grades 9 and 10 when they may not in grades 11 and 12. We may have to phase out some of our grade 12 programs completely. If they want those courses after grade 10 or 11 they may not be available. We think it would be better to have the students all there at the same time.

Mrs. Kidd: Could I just add something to the word “viable?” This really concerns me because I think a high school with 300 to 500 students could be viable, if there was another one five miles up the road where students who cannot take programs in that small school can go. In Kenora we do not have that. We have one secondary school. We have to offer all programs to all students. We cannot send them anywhere else. So I think it can be viable for 300 to 500 if there is another school in the vicinity.

Mr. Uhrynuk: It could be viable with a small number, but the program would be limited. We would have to maintain mainly academic programs, maybe some at the general level and most of them at the advanced level. We could not offer all of those courses.

If nothing else, Rodger Allan’s Commission of Inquiry regarding Small Secondary Schools in Northern Ontario indicates that schools with fewer than 300 students are having a difficult time with limited programs. We expect we will have a medium-sized school. I have heard the figure 500 bandied about, but to me that is not a viable number to organize a complete secondary program. We will have a school of 600 or 700 or one of 250 to 300.

To me it does not make sense, because in due course they could all fit into one building, and yet we have another building that was designed as a secondary school that might end up as an elementary school; or I am not sure what. However, we can never get to the point of discussing the use of our present buildings for all secondary school students. They want to wait until a decision is made whether they have extension of the funding after this year.

4:20 p.m.

Mr. Bernier: Now that we have seen the first year being implemented—Kenora separate school board has grade 11 now in their trailers—how much of an effect did that have on your enrolment in the public school system?

Mrs. Kidd: Strangely enough, it did not have any effect as far as the decline went. We are 100 students short this year as compared to last year, but it was not because of separate school funding. However, the fact remains that had they not put in grade 11, we would have had 24 more students because they would have had to come into our system. We cannot say that any of our decline this year was due to separate school funding.

Mr. Chairman: I apologize for having had to slip out for a second. To the committee members, Divisional Court Mr. Justice Potts has just ruled

on the whole question of the freezing of funds until the Divisional Court hears this in full in the spring. He has ruled that there will be a freeze on the funds that were to be moved to the Catholic system.

The Attorney General (Mr. Scott) has not yet notified the member of the press I was talking to as to whether or not he is going to speed up that request. As I recall, the Divisional Court hearing would have been in March and he may be requesting that be speeded up. I am not sure what follows, but that is why I had to slip out. As soon as I get a copy of the ruling I will get it to committee members so that you can all have a look at it.

I have a whole series of people down on the list. Mr. Reycraft and Mr. Miller. Did you have a question? That is strange. Were you just writing people's names down, Mr. Allen?

Mr. Allen: Only the member who has a checkmark beside the name wishes to ask a question.

Mr. Chairman: What an interesting system you have; how innovative. Let me ask it open endedly: are there further questions from committee members then?

Mr. Allen: If I could ask a question.

Mr. Chairman: There is no tick beside your name.

Mr. Allen: My name is not there either.

I suppose this is more of a political question than anything else. Have the recent school board elections yielded any major change in personalities in either of the boards in Kenora?

Mrs. Kidd: Not really. There are some changes, of course, but the ones who have been working so hard on this are still there.

Mr. Allen: On both sides, the same group of players will be there at the table.

Mrs. Kidd: Yes.

Mr. Allen: I see. Just the same, it is regrettable that you sit down so frequently and nothing seems to happen. That is a very unfortunate state of affairs. However, more than offering that observation and saying I can appreciate some of the refinements you have brought to us this afternoon, the scenario does not seem to have changed.

Mrs. Kidd: No, it really has not.

Mr. Allen: In that respect, I do not know that I have any further questions about it.

Mrs. Kidd: The scenario has not really changed, except that after receipt of the minority report we became more convinced than ever that

we are on the right track. As I have said, here we have support of a man who has far more experience than we have and yet he feels exactly the same. We feel we really have got support from that minority report for our small school boards. Not just for Kenora, I think it was for all small school boards; and I would like to publicly thank Mr. Fraser for his report.

Mr. Allen: We could add that we got to Kenora, at least to that part of Ontario in general, in a fairly early part of our hearings and we found the small school issue, as you will have noticed, was discussed on numerous occasions since. I think we have all been very highly sensitized to that question. We hear it with slightly different ears, even if your scenario has not changed.

Mr. Bernier: I will remind Mr. Allen that Kenora is about 300 miles from Thunder Bay, so it is quite a way from—.

Mr. Allen: I drive it twice every year, Mr. Bernier. I am quite familiar with the trip. I can name all the communities in between, too.

Mrs. Kidd: It is a long walk.

Mr. Bernier: It is a long walk.

Mr. Allen: Yes, I would hate to walk it.

Mr. Chairman: You know how far it goes. Are there other questions? If not, then it was a long way to come for a supplementary presentation to us, but it was important that you have a chance to respond to the additional information, and we were pleased to be able to facilitate that for you.

Again, you have been thorough, as you were in the first presentation. You have answered a lot of the questions that normally would have been in my mind about some of the projections you have made. You have been quite helpful to the committee as well. Do you have any concluding remarks you would like to make, Mr. Uhrynuk?

Mr. Uhrynuk: We have been looking at all the factors as closely as we can. The decline in birth rate and in population, the economic future which is not as bright as it might be, the fact that we have the facilities to accommodate all the students who are now moving in to the elementary system and on through, and the fact that population may be further reduced if the reserves start their own schools, all lend credence to my thinking that one viable system is all our community will be able to afford.

If the native communities are looking at expanding their educational system, I would like to be involved in some format that would help education on reserves, through our board or through the participation of native trustees in

addressing the needs of their communities that have not been addressed at the local level in the past.

Mrs. Kidd: I just have one comment on the word "viable." I would hope that when this word has definitely been given meaning or interpreted by the commission which is looking at it, it will be considered that viable must apply to the separate school system as well as the public. With a secondary school of 200, 250 or even 300 students, it would not be viable.

Mr. Chairman: That is an important point. Again, thank you very much. When do you fly back?

Mrs. Kidd: Tomorrow morning.

Mr. Chairman: Tomorrow morning.

Mrs. Kidd: We could not make the five o'clock flight.

Mr. Chairman: You will have to suffer through an evening in Toronto on a Monday night. It is going to be hard.

Mrs. Kidd: Oh, tough. Thank you all very much. We appreciate being given this opportunity and we feel it is worth while. As long as everybody is talking, we are going to get somewhere.

Mr. Chairman: Yes, that is very important. Again, thank you very much.

Our next presenter is J. Weinstein. It is item 874. I am sorry we are running a bit late. We can never tell what time we will be reaching orders of the day upstairs. For a while it looked as if we would never get any order up there.

Our methodology is for you to take us through your presentation any way you would like and then I will open it up for questions. Part of the way through your presentation it is possible the Conservative members will have to leave to have a caucus with their new leader. It is one of those things that is unavoidable, but other members will be here and Hansard is available to the members. Please proceed.

J. WEINSTEIN

Mr. Weinstein: Thank you very much. The fact that I am exhibit 874 will reinforce my preference not to read the brief because it contains many of the arguments you have been deluged with since day one of this committee. Instead, I would like to summarize those concerns and focus on some recommendations which could be of use to this committee and the Legislature to diffuse what I see as an impending crisis on this issue, if it is not one already.

4:30 p.m.

I am here strictly in a personal capacity because I feel that the multiparty system of democracy is in the process of failing me and countless other Ontarians. I have never personally appeared before a parliamentary committee of any sort. I always assumed that if I had a fixed position or attitude on a subject which was contrary to that of the government and if it was a fair and balanced view, there would always be either opposition parties or dissident members of the governing party who would reflect the diversity of opinion and the opposition on the subject.

On this one, I was rather shocked and dismayed that all the political parties in the Legislature acquiesced to what I consider a precipitate and arbitrary decision to extend public funding, and to what appears a fait accompli in the form of dispersing funds before this committee has even reported and the courts have ruled on the constitutionality of the legislation.

Here I note with some relief the Ontario Supreme Court has frozen the premature disbursement of funds and warned the government to quit fooling around with the people of Ontario, which precisely reflects my attitude and I am sure that of others.

The brief, which as I said I am not going to read, tries to summarize the underlying or philosophical concerns of a number of people to the extension of public financing. I caught the tail end of the previous submission. I realize the issue is causing very serious problems at the local and pragmatic level. I am not going to deal with those, although I certainly appreciate them.

I would like to focus briefly on the philosophical concerns and then elaborate on my recommendations. One of the concerns, which has been presented to you at great length, has probably been an underlying fear that, through this extended financing of the Catholic school system, Ontario is moving towards the adoption of a state religion. I know that might sound a bit extreme. However, when any government supports one type of religious system to the exclusion of others, that question is bound to arise.

It is my feeling and conviction, having lived in many different parts of Canada and continuing to associate on a daily basis with people from across the country, there is unalterable opposition on the part of a vast majority of Canadians to the move towards a state religion. That opposition cuts across religious boundaries. It is not as if we are

polarized; there is a general opposition to state religion. This is reinforced on a daily basis by what we see happening in Third World countries where theocratic and fundamentalist regimes are committing excesses which appal Canadians.

I recognize the rationale of this Legislature in supporting a consensus approach to the subject has been that there is a fear that, by polarizing on partisan political lines, you are going somehow to reopen old religious wounds. What we are trying to tell you is that those religious battles of the past are antiquated and concern us less than what we consider an assault on the secular foundations of this society and its public institutions.

As I note in the brief, Ontario at present has what I have called the dubious distinction of being one of the very few political entities in the western world which seems to be succumbing to this rise of fundamentalism in moving towards state religion. Even in the United States, where President Reagan has tried to shift the state towards certain religious schools and institutions, he has been rebuffed by the Supreme Court's decision to uphold the constitutional separation of church and state.

The second concern, which has been relayed to you at great length, has been the fact that, in the opinion of many people, and we would hope in the opinion of the courts, the bill infringes on the equality provisions of the Constitution and the multicultural mosaic of Canada.

In the course of the debates so far, I was shocked to hear Ontario cabinet ministers injecting a certain type of religious preference into public decision-making. I am from Ottawa, by the way, and the Minister of Education (Mr. Conway) comes from my neck of the woods. I noted with great apprehension his commentary on how Ontario was no longer Orange and attracted people from all over the world and that that somehow justified extension of public funding to one kind of school. Logic seems to dictate to me that the cultural pluralism of Ontario today militates against special privileges or preferences for one religious group to the exclusion of all others.

The Attorney General has noted his family's century-long struggle to complete, as he calls it, the public financing of the Catholic school system. There are many cultural groups in Canada which have been here just as long as Catholics and they have maintained their own institutions without the massive sums expended on separate schools. They do not figure in the concern of the ministers.

To be frank, I fear that if that is the attitude of the ministers of the day and if the courts do rule that the legislation is unconstitutional, we could be faced with a provincial government overriding the Constitution. In that case, I fear for democracy. That is speculation on my part, but in view of what is happening, all allies of a secular society have to start preparing for the worst.

The fourth concern, which the previous spokesmen have related, is a fear of the burden on the public schools. I consider that to be a fragmentation of the public school system and of society. On this note, I should voice an apprehension which presumably has been relayed to you before; that is that the politicians in the Legislature, to avoid the discrimination allegation, would somehow extend public financing to all religious schools and perhaps even private schools. That approach causes far more problems than it solves. It also puts the state in the role of arbiter of what constitutes a legitimate religion or cultural interest.

Societies which tend to socialize their children in a segregated manner and which socially organize their children according to cultural and religious preference tend to be segregated societies. The people who come out of systems like that, to a considerable extent, socially organize themselves later in life and expect a distribution of power, and in some cases wealth, in the larger society on that sectarian basis.

I might be stretching the point a bit too far, but I am trying to point out certain trends, and this is happening in other countries. I shudder to think that we could have people coming out of all these parallel systems, each with his own mental outlook, suggesting that Canada should follow the lead of other countries and allocate power on the basis of ethnicity.

4:40 p.m.

Do we want a constitution such as that of Lebanon, for instance, which awards the presidency to the Maronite Catholics, the premiership to the Sunni Muslims, the Speaker of the House position to the Shiites and the defence ministry to the Druse. It sounds ludicrous, but this is what is happening on a global scale. Canada is part of a global village. With respect to what I am hearing coming out of the provincial cabinet, the reasoning is not that far off from what I hear coming from the Third World.

I would like to conclude with my recommendations. The first is that I hope the Ontario government will cease and desist from any further efforts, at least until this committee has reported and the courts have ruled on the

constitutionality. I would hope the recent decision of the courts would make that recommendation come true.

More important, since the provincial Legislature has proven itself to be incapable of addressing this issue in a balanced manner, Ontario should go the route of a referendum to decide this issue. When the government of Quebec was confronted with a burning political issue, in that case sovereignty association, it went to the people of Quebec. I feel this is the type of issue which is so profound with respect to its implications that the people of Ontario are going to have to resolve the matter.

Finally, I would like to point out there is an inconsistency in our Constitution between the denominational school rights guarantees, which Mr. Scott has said have priority over equality, and the equality rights section. I hope there will be movement in the future in this country, not only in Ontario but within other jurisdictions, to amend the Constitution to do away with that inconsistency.

I recognize that the provincial government and the provincial Legislature do have a constitutional commitment to fund the separate schools until grade 7, but it is within the discretionary authority of the Legislature to determine what happens afterwards. Since this is within your power to resolve, I hope you will exercise that discretionary authority and move on it.

I also note, as a final matter, that there is a non-abrogation clause pertaining to denominational school rights which, in effect, states the Charter of Rights, in this case the equality right, will not abrogate or derogate from existing rights which pertain to denominational schools. To end an inconsistency between denominational school rights and equality, the federal and Ontario governments should take a serious look at amending that section.

Mr. Chairman: Thank you, Mr. Weinstein. Some of the members are going to have to slip out.

Mr. Bernier: I have one question. I wonder if Mr. Weinstein is aware that four other provinces have extended funding to grade 12 without visible signs of chaos or violence.

Mr. Weinstein: I understand that and I am aware of those denominational school rights within other jurisdictions. The best way I could answer is that Ontario has always prided itself as being the standard-setting province in Confederation. It is the most industrialized and the most modern. Despite what more parochial provinces

might do, I hope Ontario can lead the way into the 21st century.

Mr. Chairman: You said you have lived in other places in Canada. Where else have you lived?

Mr. Weinstein: British Columbia, Alberta, Quebec. I travel across the country on a regular basis.

Mr. Chairman: You have lived in at least two and one could argue three provinces which have denominational rights much further along than Ontario does. Is it your opinion those societies are distinctly different from that of Ontario with respect to the attitudes of the people who come out as products of those different systems?

Mr. Weinstein: I do not think there is any funding for denominational schools in British Columbia.

Mr. Chairman: Yes, there is.

Mr. Weinstein: Is it full public funding?

Mr. Chairman: No, it is not full.

Mr. Weinstein: Quebec, I note, is in the process of secularizing its school system.

Mr. Chairman: It has just withdrawn its attempt to secularize.

Mr. Weinstein: Okay, that is right; it has attempted. That makes me reiterate my suggestion that if there is political will to fully secularize and the Constitution upholds what I consider to be rather obsolete and antiquated rights, you should start seriously thinking about amendments to renovate and modernize the Constitution.

Mr. Chairman: Alberta has moved only in recent years to a system of fully funding the other school systems. Saskatchewan did so in 1964. Given the nature of our Constitution and how it can be amended, it is not very probable there is going to be an amendment taking away from rights which, as you have already indicated, this latest revision of the Constitution said cannot be abrogated by the Charter of Rights and Freedoms.

Mr. Weinstein: Where there is a will, there is a way. I believe that the nonderogation clause could probably be amended with the support of the feds in seven. Let us get on with it.

Mr. Chairman: I guess I am only saying there are at least a number of provinces which have already chosen to go in the other direction. As you say, you do not want to be alarmist, but you make the argument we could end up like a Lebanon here as a result of this. Have you seen signs of that in those other areas?

Mr. Weinstein: Let us deal with some of them. As you know, until recently Saskatchewan was predominantly rural. Its history is much different. Its level of cultural diversity is far more limited than Ontario's. Its general social attitudes and way of doing things is different.

As far as I am concerned, you are talking about the difference between apples and oranges. Ontario is the most industrialized and culturally pluralistic province. You are faced with a population that is radically different in many respects.

Mr. Chairman: Saskatchewan was the first province to bring in medicare and to have a multicultural program of any sort in the whole nation. It has been incredibly progressive in its history. Are you saying it is not up to being as progressive as we are?

Mr. Weinstein: No, I am saying the nature of the dynamics of their society is different. Perhaps it is the dynamics of their society that permitted the introduction of medicare and what you consider progressive measures. In some cases, it might have worked towards their adoption. I am not debating that. I am just saying they are faced with a different population mix and different issues.

Mr. Chairman: That is true.

Mr. Weinstein: They are not faced with a population which includes immigrant groups from all over the world, many of them coming from societies which are threatened by fundamentalist movements.

Mr. Chairman: We can make an argument about the multicultural mixes in Saskatchewan, if you want, with respect to its acceptance of refugees. It is now one of the major provinces for refugees from Central America, something of which we do not do much in Ontario. We could also consider whether it has a mix, or whether in British Columbia the Sikh, East Indian and Chinese mix somehow makes it different than our ethnic mix in Ontario. They are all multicultural provinces at this point surely.

Mr. Weinstein: Are you trying to somehow justify the unanimity of this Legislature on the grounds it is done in other provinces?

4:50 p.m.

Mr. Chairman: No. That is a good way to turn the question around, but what I was saying is that if you saw some major problem with respect to the attitudes in those provinces which have had this different kind of education system, you would say those provinces are very different. I am saying they have interesting multicultural

mixes with some interesting problems and things to confront. Do you think their education system has caused them extra problems?

Mr. Weinstein: My experience and my stay in those provinces were not nearly as long as they have been in Ontario. I was in each province for perhaps a year. I was born and raised in Quebec and went through the denominational school system.

Mr. Chairman: On the other side.

Mr. Weinstein: That is right. By the way, my comments would apply fully to the Protestant denominational school rights in Quebec. I applaud the efforts of the provincial government of Quebec to reorganize the school system along linguistic rather than denominational lines.

I should point out that I feel the self-styled progressive political parties in Ontario in this case are bound by a rather obsolete notion of what is progressive. In historical terms, I can fully appreciate why there was support for denominational schools. In the case of Ontario, denominational school rights to a certain extent, and especially in certain areas, were synonymous with linguistic rights.

Now the linguistic rights of the Franco-Ontarians are increasingly protected through other measures, and I do not think they would turn to the church today to protect their linguistic rights; the Constitution and perhaps legislation can do that job a lot better than the church can. But, as I say, my comments would apply equally to the Protestant school system in Quebec.

Mr. Chairman: I am not supposed to debate these things. We could debate, especially after the study released yesterday about the danger of assimilation to 30 per cent of the francophone population in the province, whether some reinforcement of their separate school system might be useful, but I will not get into that. Mr. Miller has a question.

The one thing I would say is that there should be no presumption at the moment that there is going to be an override of the Constitution. We have had statements by the minister and by the Attorney General that this will not be done. If they do, I think they will run into huge opposition both inside the House and outside it. That fear should not be thought about a great deal. The Supreme Court will be respected; I have no doubt about that at all.

Mr. Weinstein: Thank you for allaying that concern.

Mr. G. I. Miller: In Ontario now we have education up to grade 10, and many urban areas

have access to the full grade 13 as far as the separate school facilities are concerned. In your opinion, has it been creating any great problem as far as our system is concerned in preparing our young people to make a living—I guess that is really what it is all about—and to fit into our society?

We are Canadians and our Constitution was brought about by the very fact that education should be provided for the separate schools and a public system, and it has worked quite well. Can you see that extending it for another two grades is going to be a great disruption or maybe a little justice to those people who have paid for both systems over the many years?

Mr. Weinstein: To be honest with you, I really do not have much of an answer to your question. I have expressed my views on the subject. Whether it has worked, I do not know. I have been through a denominational school system myself. I am not a product of the school system in Ontario, but I have been through that type of system and I am opposed to it in general.

You are saying the quality of education has been as good in that system as in the other, if not better. I presume that is your drift.

Mr. G. I. Miller: I did not say one was better than the other. I just think it prepares us to make a living. That is really what that statement is all about—preparing you for society to give you the grounding you need to provide for yourself.

Mr. Weinstein: I guess it has prepared people for the job market—that is what you are saying—as well as the other one, and why should we rock the boat? It is done at great expense to the public purse, and other groups have not been in that position. They were filtered or channelled through one system. They have done just as well, I presume. I do not know what the socioeconomic statistics are on how these people fare.

My concerns are philosophical, and I think a more integrated school system can do it. I have never alleged that this school system has put out a bunch of dropouts or anything like that. It has done the job, but so has the other system. On that note, there is a general concern, obviously, that the public school system has deteriorated in recent years. There is no doubt about that. There is a tendency on the part of some people to give up on it and say: "Our kids do not get a good education. Their teachers are not attentive. The student-teacher ratio is too high," or whatever.

I am not rigidly wed to the public school system as it is right now. In fact, the provincial educational authorities might have to consider seriously delegating or contracting out certain

educational functions to professional groups that can deliver educational services such as high-tech training better than the provincial educational institutions, public schools, can right now.

I agree the system needs reforming. My concern is that people are just giving up. There could be a concern that, if this thing does not work, we should fall back on the historic authorities, people who in yesteryear provided it. I do not think that is the solution. We can diversify, improve and modernize the educational system to fulfil all the contemporary needs.

Mr. Chairman: I do not see any other questioners. Can I ask you one final question, since you suggest the referendum approach? In Quebec, for instance, you used the example of sovereignty-association being debated at the referendum level.

Would you see minority rights questions within Quebec as being better handled that way? I am thinking of the language bills and that kind of thing, given that the outcome with respect to the majority-minority situation might be pretty predictable in referenda rather than through the representative system, which did not necessarily work to great effect either. Do you have concerns about referenda being used in minority rights questions?

Mr. Weinstein: To be frank with you, I have not given much thought to that question. I recognize the inherent danger of subjecting minority groups to the whims or dictates of the majority. That is a concern and I can understand why. Elected representatives of the people would have to guard against that, especially in terms of going public with the decision-making process that could not only exacerbate certain tensions but cause further polarization and victimize minority groups.

As I said, I do not see that. If I were convinced of the possibility of that happening, I would not be here today, but I think the population of this province is sophisticated enough not to polarize along those lines. I see another dynamic, which is that people cutting across religious boundaries are concerned that secularism is being eroded.

5 p.m.

Mr. Chairman: From our perspective, this is a unique situation where all three parties have the same position. Usually, there is an opposition role. As you say, the frustration of people who present to us and who are opposed has always been that there is nobody here speaking for them. We need some kind of replacement mechanism for that which is not what I consider as flawed as referenda are in the oversimplicity of trying to

present questions of a serious and complicated nature in something that could be put on a small ballot. The hearing process gives vent and the courts provide a safeguard to that, but it does not have the same sense of a parliament or participation that you and others have been asking for.

We appreciate the time you have spent with us and the animated dialogue we have had.

Our final presenter today is Mrs. Ziemann. This is item 875.

I appreciate the attendance of those members who are not always with our committee or who have had other duties who are filling in. Our Conservative colleagues have had to caucus and we appreciate your being able to attend.

Mrs. Ziemann, we have your presentation. How would you like to take us through it?

MRS. ZIEMANN

Mrs. Ziemann: I am here as a private citizen, a taxpayer and a supporter of public education. I am taking issue with all three political parties in their support of Bill 30 in principle. The principle under which I operate is that education is a social responsibility and that religion plus education is something quite separate. This troubles me because education must integrate, not alienate and separate.

I have been very concerned about the extension of funding because it has been done through such a flawed process. I listened to the other gentleman who said how he felt about it; many of us felt that same way. We felt we had a government that was not listening to us. In essence, its members were behaving like feudal lords and we were the serfs. We just had to pay up and that was it. We did not really like it. People felt a sense of impotence. They felt nobody wanted to know what they thought because the government was going along with its own agenda.

I had to do this because the way this is being presented gives one branch of religion an entrenched position. I cannot understand how the other parties can ignore those who, in my view, have been discriminated against all the way along. For example, I was delighted to hear that funding for Bill 30 had been delayed temporarily. It was disgraceful that it was passed without going to the public which has to pay for it.

I thought about that bill we had for special education, Bill 82. I heard about that for years. It was studied for about five years and then this committee seemed to be almost an exercise in exercises. I would hear about it on the radio or television. I was upset about it.

This bill is having a real impact on the social and economic fabric of our province. We are in a very different world from 1867. I do not think anybody has ever addressed all the changed factors in the equation in any real sense.

For example, I feel the special circumstances that were set up to put religion plus education in the Constitution no longer exist. We have a public system with its faults, but it is a public system and everybody can go there regardless of race or creed. We ought to be in the business of education and we should not be supporting doctrine.

I do not think I thought about the funding issue before because we had grown up accepting it. As this issue came into the open, however, I thought about it a great deal more. It occurred to me that most people did not understand how the funding was done. They did not realize the business of the municipal tax and the provincial income tax plus all the other little things that would go into it. They had no idea about the figures for funding and what the costs would be. People were talking about the fact that this would not matter.

One change in the equation is that the tax base has changed. We did not have income tax in 1867. I do not know how they were able to extract from people the money for funding in our present day.

We have had enormous population changes. I heard someone say something about Saskatchewan. I travel the subway every day and I can tell you that we do have a very diverse population and some of them feel as betrayed as many of us do about what is happening in education at the moment.

The separate schools have increased because of immigration. I am sure this was not the intent of the Fathers of Confederation or anyone who wrote it in. It is just one of the facts of life. One of the things we have not thought about is how we are going to handle bringing these various groups into our social fabric. I think this insistence on historic rights is a real denial of rights for our immigrant groups and that it is a denial of rights for other religious groups.

Another thing that troubles me is that I have been hearing all along how it is really not fair to this group or that group of separate school supporters if they cannot get funding beyond a certain grade; but what about all those other little religious schools that were just running on a shoe-string? They pay municipal taxes; they do not have the option of saying, "I am going to have some of my money paid to my school." They pay provincial income tax and they somehow manage

their little schools, whether we agree with them or not, on a shoe-string. They are earning much less than the publicly funded teachers in the separate and public schools.

When I talk about the economic part of it, I am concerned that if I give money to a church or charity of my choice, I get a receipt for my income tax. I have a choice in doing that, just as I have a choice in deciding whether to support education or religion plus education; I choose education. But in my provincial income tax, I do not know what portion of that money goes to support and reinforce the values of a particular religious group.

I feel people are entitled to an income tax receipt for that. I have been in touch with my federal member of Parliament about it and I would suggest that everybody else should get in touch with his. It is just a fair recognition of that mandate of responsibility when they are extracting money from us for it.

There is another factor that has been neglected. The role of the church, whose school we are supporting largely through public funds, has changed. The leader of that church has a dual role which did not exist at the time of Confederation. The duality is jurisdictional. There is the institutional church school and also there is the role of a head of state. We maintain an ambassador to the Vatican, so we are paying for the schools and we are paying for the state. I find this a little hard to understand and I do not think anybody has thought about that.

I thought about what the other gentleman said about this being a state church in Ontario. In essence, that is what it is if we do that and we say to the others, "You are in the minor league; you do not really count in this."

5:10 p.m.

In public education, no matter how poorly or well the public system does the job, it has to be accountable. It will get clobbered if it does not have the right kind of books, if it does not do this, or if it does not do that. It is under a microscope because it is being supported by public funds. I think that is appropriate.

We have to think about education as a social responsibility. If we are going to take children and, through a rather cavalier use of public funds, put them into separate schools, we are going to alienate. We are going to protect and preserve religious traditions, but we are going to protect those at the expense of being part of the wider community. I do not like to think what is going to happen when a lot of these people—and we have an enormous immigration explosion at

the moment—hit the work force or further education and realize, my goodness, there are people in the world who do not share the same views. They are going to experience another type of culture shock and they are not going to know what hit them.

Again, I cannot help emphasizing that the taxpayer should not be supporting spiritual values at all. That is the responsibility of the church and the home. The electorate is feeling betrayed and all it has to do is pay the bills. It cannot be part of it. I am not part of any lobby group. This is my own view. We need to move into the 20th century and avoid the costly mistakes we have been making in the past.

There are many other ways this could have been handled. I am not familiar with how the Education Act is written, but somebody told me that it is possible to receive religious instruction from a priest, minister, rabbi, guru, anybody of your choice. You can bring them in and that is okay. If we wanted to recognize the right of people to have parochial schools, there could be some provision such as the provision we have for a child care credit or a tax credit.

I hope we will have a public system that is truly public and will truly help people who are paying for it so they are paying for a social responsibility. I noticed on the door it says, "Standing committee on social development." It did not say anything about religious development. It seems that what we are doing is just helping religious development. That is my feeling as a citizen.

Mr. Chairman: We go under that title when we deal with all sorts of strange things. It has been a delight having you come. We have had many individuals come, from non-allied to organizations and lobby groups during our hearings. That is something that is unusual at the Legislature. It happens at the municipal level a fair amount, but it does not happen a great deal at the provincial and federal levels of parliament. It has been a good experience for us to have people like you come forward, feeling it is an appropriate thing to do and it is time for you to do it.

Mrs. Ziemann: I am so glad, because I feel that the way this whole thing was handled and the way we were treated was as if we were children who were incapable of making any decisions. In essence, father was government and father knew best. All we had to do was dig into our pockets and pay for it. I hope government will recognize that we elect the politicians. They are there to represent us, not to represent their own wishes and their own agenda. It is a trust and we want that trust to be carried out properly.

Mr. Chairman: Perhaps this has been a good spinoff of the fact that maybe it was not done as well as it should have been. We have had many people feel they should come and express themselves here. It has been very useful for the committee.

One question I would like to ask you has to do with this whole question of the state church thing, which comes up a lot. You have asserted—and others alluded to it earlier—that we are moving to a state religion when we move to full funding of the education system. Given at the moment that the Catholic system has constitutional rights up to the end of grade 8—

Mrs. Ziemann: I am not sure that they should have those any more.

Mr. Chairman: —do we have a state religion now?

Mrs. Ziemann: I think so, because in essence it is a state religion if one religion is supposed to get the support of people who have to pay for it whether they want to or not. It is a state religion.

It is as simple as that. If it were not paid for out of the public purse, it would be different.

Mr. Chairman: I wanted to see where you would draw the line.

Mrs. Ziemann: It exacerbates the situation for discriminatory practice, yes.

Mr. Chairman: Any other questions from committee members? If not, thank you for coming and getting yourself on the record of Hansard for all to read. I am sure those members who had to leave will be reading it. It has been a pleasure having you before us with great eloquence.

Mrs. Ziemann: Thank you.

Mr. Chairman: The committee is adjourned until tomorrow afternoon at orders of the day. Again, I thank those members who are not normally with the committee for filling in and making our guests feel welcome.

The committee adjourned at 5:16 p.m.

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From the Kenora Board of Education:

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Uhrynuk, E. W., Director of Education and Secretary

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No. S-84

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Tuesday, November 19, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Tuesday, November 19, 1985

The committee met at 4:09 p.m. in room 151.

EDUCATION AMENDMENT ACT

(continued)

Continuing consideration of Bill 30, An Act to Amend the Education Act.

Mr. Chairman: I am calling the meeting to order. The members can take their seats and the deputation resume theirs. I apologize for the delays and the difficulty in gaining full attendance this afternoon because of the business in the House being disrupted for an emergency debate on an education matter. It means that people who would normally be in this committee are also responsible for participating on behalf of their parties in the House at the same time. However, we do have a quorum of members.

I would remind members of the committee that we have three things to do today. We have two deputations plus we have a motion about the hearings on clause-by-clause debate and reporting of the bill we have to make some decisions about, so we should proceed as quickly as we can.

Our first deputation is from the Metropolitan Toronto School Board, with whom we have met once before. You may recall the presentation that was made in August, exhibit number 301. Unfortunately, we had to fly to Thunder Bay that day and although there was a fair amount of time for making a presentation, there was not a lot of time for an exchange of questions and the normal dialogue that we have with a group.

This being the largest school board in the country, we felt it was important to have them come back and continue to discuss this with us before we went on to other matters. I am pleased that you were as insistent as you were about your desire to come back and that we were able to make time, even though it is November and not August when you were first here.

If you like, you could reintroduce yourselves for the purposes of Hansard and then we can proceed in any way that you would like today. I appreciate your patience with us as we try to get ourselves together.

**METROPOLITAN TORONTO
SCHOOL BOARD**

Mr. Tolton: Initially, I would like to introduce the delegates who are with me today to conclude our presentation before the standing committee on social development. This is the same group that appeared before you when we made our initial presentation on August 12.

To my immediate left is Penny Moss, vice-chairman, Metropolitan Toronto School Board; to my right, Charles Brown, director and secretary-treasurer of the Metropolitan Toronto School Board; and to my far left, Carol Olsen, superintendent of educational resources of the Metropolitan Toronto School Board.

I would like to thank you for the opportunity to meet with you and your committee today and conclude the presentation that was incomplete on August 12 because the committee, as you pointed out, had travel commitments to leave for Thunder Bay.

I sincerely regret the absence of the Minister of Education (Mr. Conway) from your committee meeting again today. He was not able to attend this forum on August 12 when the brief of the Metropolitan Toronto School Board was presented to your committee. It is most unfortunate that another pressing educational matter has caused the minister to be absent when the six area boards of education on the Metropolitan Toronto School Board, representing 25 per cent or one out of every four students in the province, make their presentation to the standing committee.

To the extent that we are able, I would like to pick up where we left off with the committee on August 12. On that occasion, we provided for the standing committee the legal opinion of Mr. Brian Kelsey, QC, regarding the legality of the government's proposal to provide interim funding. Since the extension of funding to Roman Catholic secondary schools has become a policy issue in Ontario, the Metropolitan Toronto School Board has been concerned about the constitutionality and the legality of the proposed legislation and the implications of implementing the policy prematurely and without legal authority.

I am sure that all members of the committee are aware that the Metropolitan Toronto School Board did initiate legal action with respect to the interim funding regulations and the opinion rendered by Mr. Justice Potts yesterday granted

an interim order prohibiting the transfer of interim funds to Roman Catholic secondary schools without the necessary legislative authority.

I believe that all members of the standing committee will be interested in the entire legal opinion of Mr. Justice Potts and I have copies of the full opinion for the committee.

It is interesting to note that Mr. Justice Potts' decision supports many of the concerns that the school board has been trying to have the legislators take into consideration in their haste to implement such a significant educational policy issue as the one we are considering today.

You will note that on page 5 Mr. Justice Potts says, "In effect, the minister has bypassed both the democratic and judicial controls on the exercise of government power." He goes on to say, "There is serious doubt, in my mind, as to whether this section"—subsection 10(3) of the Education Act—"authorizes the minister to distribute public moneys, contrary to subsection 135(1), to the Catholic schools in respect of grade 11 at all or in respect of grades 9 and 10 at the secondary school rate."

Mr. Justice Potts recognizes that harm alleged by the separate school boards and Roman Catholic secondary students will occur only if the Divisional Court declares the impugned regulations to be invalid and if the Court of Appeal declares Bill 30 to be unconstitutional. He argued that the Catholic school boards were to some extent "the authors of their own misfortune."

It would seem to me that any sane and sensible approach to policy implementation should have dictated that the legislators, including the Ministry of Education, ensure that the full legal and legislative process be completed. The Minister of Education has indicated that he attempted to provide funding through interim means only in the best interests of the Roman Catholic students and the school boards who had embarked upon the planning process based on the government's announced policy.

Surely the minister ought to have recognized the consequences of an ill-conceived implementation policy prior to passage of the appropriate legislation, and as difficult as it may have been in the short run, it would have been more prudent and a better example to the educational community and the Roman Catholic students in particular, that the minister delay the policy to set an example of respect for the legal and legislative process. He chose not to do this, and under the circumstances he must accept responsibility for his actions.

Mrs. Moss: If I may continue, I hope another matter has come to the attention of the committee as well as members of the public and the Metropolitan Toronto School Board, and that is Dr. Shapiro's report of the Commission on Private Schools in Ontario.

In a section of our presentation to this committee in August, we had provided an examination of the social and educational issues and raised concerns about questions of discrimination, as well as the fundamental issue of the purpose of schooling and in particular the purpose of public schooling. We stated that—and this is a quote from our August submission.

"The issue of discrimination is important...It is therefore a strange twist of argument to say that Catholics are being discriminated against because they have not been permitted to have segregated secondary schools.

"We have maintained that a single nonsectarian public educational system, by its very nature and mandate, is not and can not be discriminatory against Catholics. On the other hand, to perpetuate and extend a segregated sectarian educational system constitutes discrimination against all other religious groups and is an affront to the very large portion of Ontario's citizenry who believe that the propagation of a particular religious faith at public expense within a segregated educational system is both socially and educationally inappropriate."

In the report of the Commission on Private Schools in Ontario, Dr. Bernard Shapiro states: "On moral grounds, limiting public support to Roman Catholic schools seems indefensible, for the constitutional provisions that are usually advanced to justify the special status of such schools serve only to describe its history. They do nothing to inform us about what we ought to do...It does seem inappropriate to the commission for Ontario to continue to offer to its Roman Catholic community an educational option not offered to other communities as well..."

"On legal/constitutional as well as on moral grounds, the commission believes that the special status of the Roman Catholic schools is discriminatory."

4:20 p.m.

The commission's report includes as an Appendix D a paper by Neil Finkelstein on the legal and constitutional aspects of public funding of private schools in Ontario. In his conclusion, Finkelstein states:

"In my opinion, the coming into force of the equality guarantee in subsection 15(1) of the Charter of Rights on April 17, 1985, will, due to

the current legal and constitutional context of education in Ontario, require a radical alteration of the government's financing arrangements for schools in the province."

Our concern is not the loss of students, nor of financial resources of the Metropolitan Toronto School Board, nor of teachers' jobs alone. Our concern is about the purpose of public schools in a multicultural, multilingual and multireligious society. The government has been unwilling to acknowledge the profound alterations to the assumptions on which the public education system has been built which these actions will bring about. No longer are we to have one public school system for all; we will have a full denominational system for Roman Catholics who choose it and a public system for everyone else.

The issue before the Court of Appeal on whether or not the funding of Roman Catholic secondary schools is inconsistent with the Charter of Rights and Freedoms has relevance not only for Ontario's separate, public and private schools but possibly for every Canadian. We suggest the central issue to be decided is the nature of religious freedom and religious discrimination.

Religious freedom requires the existence of religious tolerance. The public school system of Ontario has evolved from its Protestant origins to be a system that attempts to welcome all of its students, to respect and honour the cultures, traditions and religions of their families. Close to half of the students in Metro Toronto's public schools come from homes where neither French nor English is the primary language spoken. There is probably no other metropolis in Canada that has among its citizens people from so many different ethnic, cultural, linguistic or religious groups.

What is of critical importance in an understanding of the impact of denominational school funding on public education is the recognition that the impetus to challenge the status quo to truly open our schools to all comes not from politicians but is instead a political response to the aspirations of the many communities that use our schools.

The attempts to root out racism came from the experience of students in our schools. The development of heritage language programs came from the diverse and highly articulated needs of the many ethnic communities of Metro Toronto. The adjustment to religious observance and religious education in public schools is a recognition that the public school system is not,

in fact, a Protestant school system but one for students of all faith or of no faith at all.

By funding independent or separate secondary schools that encourage the loss of religious, cultural or linguistic groups from the public schools, the government will limit the sources of initiative for change from the public schools. No amount of additional funding, no soothing statements of support will ensure the continuance of an accessible and democratic school system. By enhancing the status of separate and independent schools, the government diminishes the role of its public schools.

We wish to present to you, again, our recommendations as follows:

Whereas the funding of Roman Catholic secondary schools represents a fundamental shift of the province's philosophy of education; whereas significant aspects of educational policy and legislation interact with the proposed legislation for the funding of Roman Catholic secondary schools; whereas the report of the Commission on Private Schools in Ontario examines the relationship between the funding of Roman Catholic separate schools and independent schools; and whereas there has not been a comprehensive examination of Ontario's educational policies and structures since the Royal Commission on Education in Ontario in 1950,

Therefore, we recommend that the Ontario government establish a royal commission to examine and report on all aspects of the role of publicly funded education in a democratic, multicultural and pluralistic society with a particular focus on educational legislation, educational governance, funding mechanisms and related program implications.

We believe that unless the government is prepared to consider the present in anticipation of its future, it may abandon the only institution that has the power to give expression to those highest ideals of tolerance, dignity and equality in a pluralistic society.

Mr. Tolton: In summary, I must say in all of my days I have never seen an educational policy process as ill conceived and badly implemented as the one we are addressing today. Bill 30 has been referred to the Court of Appeal. We may not hear the final results of that constitutional challenge for some years. Interim funding has been restrained. At this point, there is no indication when there will be an early resolution to whether the government's interim regulations are ultra vires. The separate school boards proceeded on the basis of the government's promise and the urgings of the Commission for

Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario.

The legal opinion in the report of the Commission on Private Schools in Ontario has indicated that funding for Roman Catholic secondary schools only and not other denominational schools may be unconstitutional. Therefore, the legislators must consider in yet another light the implications to the educational system in Ontario of providing funding to Roman Catholic secondary schools.

Under the circumstances, I believe the only responsible thing this committee can do is to recommend that the government withdraw Bill 30 and establish a royal commission to examine and report on all aspects of the role of public education in a democratic, multicultural and pluralistic society. The future of Ontario's educational system awaits your decision as legislators.

Mr. Chairman: Thank you, Mr. Tolton and Mrs. Moss, for updating the presentation from August.

Mr. Tolton: We thought you might have missed the paper this morning.

Mr. Chairman: I even found myself quoted in it, surprisingly—a tag-on, of course. That is the proper position for me.

Mr. Tolton: I hope they spelled your name properly.

Mr. Chairman: My name was spelled correctly and it is always. Mr. Matas never makes that mistake, I must say.

I find the ruling interesting from a number of perspectives. The specific one is quite dramatic and raises a whole pile of questions for the government, as the Attorney General (Mr. Scott) was saying today in the House. I wonder what it means for an awful lot of other things as well.

It seems to me that questioning the executive authority of the government, which is essentially what I see the judge as having done in terms of spending money for things that may not be precisely within the mandate of legislation by the executive without going to the Legislature, has some very interesting implications for us. A lot of things are done that way.

From your perspective as a very large board in an educational system which often finds itself in a position of having to adjust to new things and having money moved here and there in an experimental fashion, sometimes just through the general legislative grants, do you think there

might be implications there for financing towards yourselves and the public system?

Mr. Tolton: I would love to respond to that: given the level of grants from the province to Metropolitan Toronto, which is approximately nine per cent now, I do not think it is something over which we are going to stay awake nights.

Mr. Chairman: I wonder, if not for yourselves then for other boards that do still receive portions, whether there is any danger in money being released by the executive rather than by the Legislature.

Mr. Tolton: If you read Mr. Justice Potts's judgement, he goes to specific sections of the Education Act. Penny has something to add.

Mrs. Moss: It is quite clear we have retained legal counsel because we are not in a position to make detailed comments on some of those matters; however, the question arises, does the act as it exists confer the authority to provide those regulations? I think the act is quite clear about the kind of authority that is conferred. We have not come across a circumstance in other areas of education funding that I am aware of.

Mr. Chairman: Reading the interpretation around section 10 and section 135, it seems to me that if somebody gave the argument that a specific program was not specifically covered by section 10 and was not found anywhere else in the act, somebody might challenge that matter as well.

4:30 p.m.

Mr. Tolton: In response to your question about executive authority, that authority must flow from legislation approved by the House. It is quite clear, both in our arguments before the court and in Mr. Justice Potts's decision, that there is no legislative authority for any executive action with regard to secondary-level schooling at the separate school level. That is the issue. There was an arbitrary move at the executive level without any legislative authority.

Mr. Chairman: All I am saying is that I think there are a number of areas where legislative authority tends to have been left fairly vague. Specific executive initiatives in a whole range of areas, whether it is health, social services or whatever, have been undertaken that may now be challengeable, according to the interpretation of this particular ruling, even if it is an interim ruling prior to full court hearings.

Are there questions from members on anything to do with the presentation or any matters left over?

Mr. Davis: First of all, I would like to say when it comes before a committee the Metro board is as intriguing as ever it was when I was there.

I am a little disappointed in my colleagues. I understand their position quite readily. Their position is that they are opposed to Bill 30, but I would have expected more than that. In this case, understanding that a court case is going on, understanding that the various delegations that have come before us have certainly taken the opportunity to express tremendous opposition to Bill 30 and its implementation, at least those other jurisdictions have also taken the time to be very positive and critical of Bill 30 and to tell us of amendments they would make.

I feel disappointed because your board brings tremendous expertise and tremendous knowledge that would benefit this legislative committee, the students, the teachers and the nonteaching staff of this province. I think of areas where it would have been of benefit for us to hear from you, such as the grievance processes, as in section 136m of Bill 30. I think of the transfer of property and buildings, with which the Etobicoke Board of Education has had tremendous dealings because of school closing.

I think of the transfer of teachers. The uniqueness and the innovativeness of the Metro board in dealing with surplus teachers would certainly have given us more enlightenment on dealing with the transfer of teachers. I think of the section dealing with the planning and implementation commission, its responsibilities and its powers.

I think it unfortunate that you did not take the opportunity to articulate those aspects and, in a sense, I think you have deprived the province of that expertise, which could help us when we go to the amendment-by-amendment stage, whether it is constitutional or not.

If it is constitutional, then I think it is imperative that we hear from you on those areas so that one of the largest school boards has some input and some guidance for us. Unless you come back before us again when we do clause-by-clause, whenever that may be, we will not get that opportunity, other than that some of the boards have come before us. That is all I have to say.

Mr. Tolton: May I respond, please?

Mr. Davis: I knew you would, John.

Mr. Tolton: Trying to spin me up today, are you, Bill?

Mr. Davis: No, John; I would not do that.

Mr. Tolton: We said a couple of months ago that philosophically we were diametrically opposed to what is going on. We think there are great difficulties constitutionally, but that is beside the point; we are philosophically opposed.

I will assure this committee that should it be proven constitutionally valid—I speak for myself personally—I would be the most co-operative person in the world to help you with your great difficulties, Reverend Davis, in trying to pull a bill together that will accomplish whatever misadventure you find yourself in, in order to protect the people of Metropolitan Toronto. But until such time as that occurs, it does not behoove me to participate in this kind of exercise, because our efforts, as little as they are, are directed towards explaining to you people on this committee, we hope, the reason we think you are going down the wrong track.

But I do go back and say that if we find it is constitutionally valid and if you people continue to ignore more than 60 per cent of the people in the province who are against this education policy, I then will commit myself to do the best I can for the students of Metropolitan Toronto.

Mr. Davis: I appreciate that comment and I commend it.

Mr. Chairman: I do not think it is the only one you are going to hear.

Mrs. Moss: I thought maybe Mr. Davis was talking about you folks when he referred to his colleagues. I am glad to know we are still colleagues.

Mr. Chairman: Some connections are never severed.

Mrs. Moss: The Metropolitan Toronto School Board, let alone anybody else in this province, has yet to hear one of its legislative representations spell out any understanding whatsoever of this profound alteration to the assumption and the purposes of public schools. There has been no response. I am beginning to think we will never get a response.

It is not a question of protecting public schools by giving them interim funding or more money or whatever so they are protected from declining enrolment. It is their fundamental purpose which is at stake and there has been no response to that issue. I would concur with Mr. Tolton in terms of the constitutional issue. When the time comes, if it comes, we will deal with that issue.

I am profoundly disappointed at our fellow politicians—if I may use that term—at the provincial level who refuse to recognize the shift occurring before our eyes while we deal with the

specifics of the bill. This committee has been given all the help it needs in terms of the details for amendments to protect staff and all the rest of it. One of the Metro boards has assisted you, and one might as well do it as any of the others.

Mr. Davis: I would assume from Penny's suggestion that the Toronto board spoke for all of the Metro boards—

Mrs. Moss: No; I said we gave you the details of collective agreements and the problems with existing sections of the act which would be the same as if anybody else in Metro wrote them because it is the same collective agreement under a former piece of legislation.

Mr. Davis: I know, but you were also there.

Mr. Chairman: Mr. Brown has a few comments.

Mr. Brown: Back in January, in its initial statement on the constitutional challenge, the Metropolitan Toronto School Board said, "If and when it is proven to be constitutionally valid, the Metropolitan Toronto School Board"—and I am sure the area boards of education—"will assist in the process." Mr. Davis was a member of the Metropolitan Toronto School Board when that motion was passed and he knows full well what went on.

As a professional employee of the Metropolitan Toronto School Board, I find it difficult to be lectured on my responsibilities when I find that the members of the opposition in this House are not fulfilling their responsibilities in challenging the principles of the bill and arguing it and filling that role for the people of Ontario.

Mr. Chairman: I am not sure what is to be gained by attacking anybody's responsibilities on either side. It is your privilege to come before this committee and say what you choose. God knows we have had people coming here using the Bible to predict all sorts of disasters for us in the future and all sorts of things which I found very difficult to relate to Bill 30. You have a perfect right to limit your discussion any way you like and that is your privilege. As for our own responsibilities, we believe we are discharging ours and you are discharging yours.

Mr. Allen: First of all, Mr. Chairman, to apologize to you, to members of the committee and to the deputants from the Metro board, the last word I heard from the clerk's office was that this sitting was cancelled because of the standing orders of the House which prohibit a bill and a committee to be on the same track at the same time.

Mr. Chairman: You underestimate the powers of the chairman.

Mr. Allen: The chairman has managed to sweep all that to one side.

Mr. Chairman: Rules, what rules?

Mr. Allen: I did not hear the brief and I have only heard the latter comments. I do not think I have any further questions than those I had at the time of the original presentation. It might be worth observing that on numerous occasions in the committee various members have ventured their own articulations as to why they understand this to be an important move at this time in our historical circumstances on our constitutional base with reference to educational issues that affect large numbers of people.

It has not been in a context where it has been possible to pursue that at any length because the format is not that we are to lecture you, but you are to come and tell us and we are to ask questions. That obviously has not set up a kind of debating format in which those kinds of arguments could be proceeded with and concluded.

4:40 p.m.

It is not to say they have not taken place in other locations, however, where there have been meetings of a variety of natures at which time the issue has been joined. Some of us write articles in local newspapers and we write about this issue.

The obligation of the opposition in the Legislature, which has been alluded to, is not to undertake arbitrary opposition. Arbitrary measures and arbitrary opposition alike are to be eschewed in the Legislature. As you know very well, the various parties by their own various routes arrived at a historical conjuncture. We concluded we were all on the same track with regard to this issue.

Our party spent many hours, weeks and months debating the question with papers flying and letters going back and forth between members, and what have you, a decade and a half ago. The discussion, in all particulars, has not really ceased in the interval. That is not to say that everybody agrees within each party; none the less, it is true that the postures of each party have been taken.

A certain problem has been created in the process. We are used to having opposition parties that disagree and that sets a certain context in which debate of a certain kind can take place; but the fact that it does not happen in a given instance does not mean the parties in question have abandoned their responsibilities.

The point that has been made time and again in the course of these hearings is they seem to be highly artificial. If you want a debate to proceed under those circumstances, you either organize another party, get a lobby going—which has happened—or set up public meetings across the province. All those things are happening and they are all part of normal democratic process; so, what is the objection? I do not understand it.

Mr. Chairman: It has come out of a very profound frustration of people not having a normal vehicle in the House through which that can be expressed.

Mr. Allen: I understand that, but—

Mr. Tolton: If I might respond, Mr. Chairman.

Mr. Chairman: Oh, absolutely, Mr. Tolton.

Mr. Tolton: Personally, it somehow seems somewhat preposterous, especially for people who just went through a municipal election running for a school board trustee position, to find that it may have been last Friday, or a week ago Friday, that one ran into somebody who supports the funding issue. Then one runs into 900 who are against it and I come down here and find 124 out of 125 who support it. That is my frustration.

Three parties all jumped under the blanket together and said, "Hey, we like it." That is the frustration to those of us who have just been through a municipal election. That was the only issue, the only question asked. "Do you support funding or not?"

Mr. Chairman: I am not sure what else one might expect as a public school trustee going up for re-election.

Mr. Tolton: When I knock on the door I only have the time to sort out who is the separate school supporter or the public school supporter. I run a very bare-bones campaign and it is coming from both sides.

Mr. Chairman: It will be interesting to see the juxtaposition of your presentation with the one following, which is from the Teachers for Social Justice within the Catholic system, especially given some of your comments about multiculturalism in your system and some of the action that has been taken.

Mr. Tolton: We appreciate the opportunity to share our experience with this committee.

Mr. Chairman: We have had at this committee between 875 and 880 briefs at this point, with many people strongly expressing their points of view on both sides.

Mrs. Moss: Mr. Chairman, if I might just finish: we understand the processes, we also were not born yesterday; but it is fair to reiterate the steps we have made to assist the government and the Legislature with this issue. We may not have done clause-by-clause amendments; however, we did make the government of the day and the opposition parties aware of the constitutional opinion before it was public. We did provide the government and the opposition parties with the Kelsey opinion before we were in a position to move on that.

We have had no response to those initiatives, except the kind of response that says, "They would not dare, would they?" It is with great regret we find ourselves in the position of having to use the vehicles we have chosen to deal with what are, more legitimately, public policy issues.

Mr. Chairman: I am not sure what more response you would have wanted from this committee, but I hope we have provided you with a place to express your views, to make them known and be heard. We were talking before about the difference between listening and hearing. There is also a third one: agreeing or disagreeing after you have heard. It looks as though we soon may be actually getting down to the stage of being able to discuss what the committee feels about these things, because up to this point we have not been able to. We have merely been hearing people and not wanting, as has unfortunately been the case in the process, to presume what the results will be and what people are thinking out there. We are trying very hard to make up for what I think has been a pretty bad process up to this point. Thanks again for coming. It was good to see you.

Mr. Tolton: Thank you very much for hearing us. The interesting thing is that, since we were here last, a lot of things have happened. There certainly are different circumstances today from when we were here in August. That should certainly impact on the thinking of this committee if, as and when you ever do get down to clause by clause, which I fervently hope you do not but rather take our advice and recommend to the House that the bill be withdrawn.

Mr. Chairman: We should know this afternoon what our plans are in that area. It has often been presumed by people who come here that this is a static process. They think the whole thing is a charade. I think it has been a very dynamic process, both here and outside, and all committee members are sensitive to that. Thanks very much for your attendance.

Our next and potentially final presenter, depending on the motion later on, is Mr. Schmidt, Teachers for Social Justice, item number 878. Do you need any help setting up the audio-visual tape?

Mr. Schmidt has a short audio-visual component to his presentation; so perhaps, Mr. Allen, you would like to shift to be able to see this part of it.

TEACHERS FOR SOCIAL JUSTICE

Mr. Schmidt: This is my fourth class of the day as a teacher.

Mr. Chairman: One of the difficulties we are going to have is that the only way we can pick you up on the transcripts is through the direct mike.

Mr. Schmidt: There is a copy of the lyrics on the back. Since I deal with young people, I often use teaching vehicles like this. It is late in the afternoon and I figured people could use a jolt.

Mr. Chairman: For anything you want on the record make sure you are speaking into the mike.

Mr. Schmidt: Okay. The lyrics to this song, which are germane to my presentation, are on the back page. I would like to take you to Sun City.

The committee viewed an audio-visual presentation at 4:49 p.m.

4:55 p.m.

Mr. Schmidt: I would like to suggest that one of the fundamental reasons for the difference in separate schooling and public education lies in a subject like apartheid. In this video, to which I want to refer briefly before my brief, we see the values of community and solidarity. We have had a number of young people graduate from our schools and there are two, in particular, whose stories I shall tell just briefly.

One was a member of a group that had written a number of songs such as this and won the top award as the best band in Toronto, given by CFNY. They refused to go to the awards because that function was sponsored by Carlsberg which has extensive investments in South Africa. The other, probably Canada's number one rock star today, next to Corey Hart, is named Larry Gowan, who told me that the pressures for him not to say anything significant in his songs were monumental.

This video is an especially brilliant piece of work that I think shows us the phenomenal individualism in our culture and the incredible lack of solidarity we have. I would suggest that it is in an issue such as this that we see the stark

differences between separate schools and the public school system, not as they are presently constituted, but the mandates of those systems are profoundly different.

One system, the public school system, can best come up with the response of sympathy whereas the separate school system, because it is rooted in transcendence, will have to end up and is ending up in solidarity.

My brief today is founded on this profound belief. If you take a look at the number of quotes I have, to start it off I am going to read the second one, by Everett Reimer, one of the most perceptive critics of public education: "School exists as the universal church of a technological society, incorporating and transmitting its ideology, shaping men's minds to accept this ideology and conferring social status in proportion to its acceptance.... Those who conform to the rules become the dependable producers and consumers. ... Those who learn to beat the school game become the exploiters of the society."

Then a quote from Rabbi Heschel: "The tragedy of our civilization is the liquidation of the inner man. We are doing our utmost most to flatten man. Spiritual resources are being depleted."

I am not going to repeat historical arguments that have been gone over ad nauseum, I am not an expert on them; however, as a democrat, I am particularly sensitive to the concerns of many non-Catholics who feel the extension of funding to Catholic schools is unjust because it favours one religion over another. Yet, the history of education in Ontario is indeed *sui generis*. Catholic schools are a part of that history. We cannot write them out of existence even though we, as Catholics, share the contemporary insight that church and state should be separated.

It is indeed unfortunate that what began as a religiously based school system, a public Protestant system, has become a totally secularized system with no mandate or claim to speak for God and the transcendent value of the human person.

Back to the video: Why I can teach, and I have taught this in my school today, is that I am not interested in the politics. I am interested in the whole idea that apartheid is a heresy and that the fundamental value of each human life is extremely important. I am going to suggest throughout, that this cannot be taught in the public school system.

As one who has tried and has left the public school system because of the lack of a mandate, I was quite surprised to hear the comments of

Penny Moss, as if history has not dictated some of our policies today.

Given the pluralism in Ontario, which has developed rapidly in the post-war era, the evolution of the Protestant system into a secular system was inevitable. One can easily appreciate, however, the genuine upset and distress this has caused serious Protestant parents who ardently wish for a religiously based system.

5 p.m.

This pervasive secularization bothered Keiller MacKay when he wrote his report, *Religious Information and Moral Development*, in 1969. Yet his hands in effect were tied. Too many religions now exist in Ontario to continue educating the young in the Christian tradition.

We accept that. But what of the other public system, the Roman Catholic system? It is obvious that it has survived, some would say thrived. In justice, the government could not write it out of existence and this is the crux of my argument. The liberal laissez-faire capitalist system operates on the thesis that we have no historical memory; that the contemporary insights we get from the social sciences suddenly have to take precedence over the whole of the history of a province or country or world. This I cannot and do not accept.

This public school system, the Catholic school system, has thrived. If we were to turn back the clock, politically it would be a disaster for any party to do this and socially it would virtually destroy the social fabric. It would unleash the bitterest fight in our history.

William Davis, whether out of his fundamental decency, or his understanding as a former Minister of Education that a truncated education made little sense, or out of political exigencies that Ontario was becoming largely a Catholic province, decided to extend funding to the final two or three years of high school. Catholic schools should not then be the object of unwarranted attacks because they have persevered and survived into the present while the Protestant schools have become secularized. This is a fact of history which we did not create.

On the other hand, Catholics might well look more critically at our schools to see that we have not escaped the ravages of secularization ourselves, but that is another question. Given the present situation, Catholic education must become as magnanimous as possible and as ecumenical as possible in keeping alive the religious dimension in education.

In candour, we cannot understand some of the arguments put forth against extension of funding.

The argument that extension would be divisive simply does not wash. We already have Catholic schools funded to the end of grade 10. Are they divisive? Do our students not leave these schools and play with their public school friends?

Have we not accepted diversity and multiculturalism in our mosaic? Do we not worship differently on the sabbath? Are we going to force people into one church next and, particularly in a free enterprise province, do we not consistently evoke friendly competition? Are we going to re-invent history? Are we going to pretend we have no historical background in this province?

A more serious argument about job loss has been answered well by Ontario English Catholic Teachers' Association and the Ontario bishops. Could a religious community which authored *Ethical Reflections on the Economy* not but defend the jobs of any teachers threatened by extension? All this, as far as I am concerned, is prologue. It has been argued better than I can.

In another vein, I wish to argue on behalf of Teachers for Social Justice, a group of about 70 Catholic teachers in the southern part of this province. I would dare to suggest that Catholic education is potentially a precious gift to every person in this province and, further, that in concert with sectors in public education, it may well become a necessary antidote to the debilitating trends undermining the whole of western society.

The Catholic school system, with its teachers rooted in the transcended and incomprehensible mystery which Carl Rahner has called God, which guarantees the freedom and dignity of all human beings—witness our objection to apartheid—which allows us to risk in hope, which nourishes us with the gospel of the kingdom where there are only brothers and sisters, has the potential to serve the interests not of the technological society but of the whole human family.

Public education cannot do this. It is not because its teachers are not as competent or as good—indeed, they are—but because its mandate and its existence require it to serve the interests of the technocratic society. We might say that is the religion of the public school system. While more implicit than explicit, schools promulgate the dogma that the technocratic society—that is, liberal capitalism as it is known in its western incarnation—is the highest good.

This unquestioned dogma is supported by several myths. Affluence is an end in itself. Competition is a supreme good. Profit is the key motive for economic progress. Liberalism, with

an exaggerated emphasis on personal rights rather than communal responsibilities is the cardinal virtue, etc. Charles Reich in *The Greening of America* has phrased it thus:

"A school is a place to be trained in the machinery of state where a person abandons everything that has no utility for either production or consumption in the corporate state...it is training towards alienation."

George Grant, of all Canadian philosophers and social critics has best summed up the dangers of education without transcendence. Grant, like several secular critics—Reimer, Postman, J. K. Galbraith and Jonathan Cozol—has warned against the technological imperative that fuels the public school system in this and every other province. He writes:

"Western men live in a society, the public realm of which is dominated by a monolithic certainty about excellence, namely, that the pursuit of technological efficiency is the chief purpose for which the community exists. When modern liberals, positivist or existentialist, have criticized the idea of human excellence, they may have thought that they were clearing the ground of religious and metaphysical superstitions which stood in the way of the liberty of the individual. Rather, they were serving the social purpose of legitimizing the totally technological society by destroying anything which might inhibit its victory."

This technological imperative, with its dominant economic metaphor of production, consumption and competition, buttressed by the insatiable demands of the multinational corporations and the high-tech society, sets the agenda for the schools. George Grant calls this "the tight circle." Everything is oriented to achievement and efficiency. At the turn of the century, Max Weber predicted this "iron cage," i.e., a society which standardizes and bureaucratizes everything.

In our time, it is the Frankfurt school of sociology which has offered a similar critique of rational planning gone quietly mad. Humans who attempt to explain everything rationally, who attempt to organize and manipulate everything rationally, become victims of that planning. When people consistently see everything from the economic bottom line, the human being becomes a cipher with no dignity and no voice. This rational mastery has given us the administered world of the west and the totalitarian world of the east. Reason raised to the ultimate often creates a new myth with its own predictable

logic. The only thing missing is the human person.

In this secular economy of salvation, politics often takes the place of religion and people become expendable. We seem incapable of calling the system into question. It is successful; it delivers the goods. We get ecstatic over jeans, perfumes, stereos. We lionize the lifestyles of the rich and famous. We deem it natural that athletes earn millions, that Dave Stieb earns \$330 a pitch. That is okay. However, it is unfortunate that a 26-year old hockey goalie died while driving a \$150,000 car. The horror stories go on.

Why do people go to school? Who questions the obscenity that 42,000 die daily for want of nutrition while the Pentagon spends \$24 million per hour 24 hours a day? Who cares if industrial miracles destroy the environment common to us all? Who cares that we manipulate Latin American economies, prop up despicable regimes that murder and torture. In the brave new world of techne, we can easily justify abortion and the ghettoization of the old.

John Kavanaugh has pointed out that moral relativism is the ethical embodiment of the laissez-faire economic system. Do not interfere. It is a private choice. Education is not to get into these areas. We cannot teach this. This is too political. It is my right, my country, my property, my lifestyle. It is also noncommunitarian, nonsharing and rampantly individualistic. It is the market that decides.

In our century, the holocaust is the classic example of bureaucratization, the worship of technique and value-free science, the human person immolated on the twin altars of nationalism and racism. Elie Wiesel reminds us that it was the humanists, the ones with no convictions about the ultimate significance of the human person, who succumbed first. Organized religion, caught in the grip of nationalism, had been radically weakened by enculturation.

Yet, as Wiesel reminds us, it was the few religious—the Bonhoeffers, Delps, Lichtenbergs and Jagerstatters among the Christians—but most of all, it was the rabbis, sustained by their bearded legends and stories of the beneficence of the master of the universe, who defended the human face of God. It is the classic case of a society trained to eliminate the deep questions about the destiny of humanity and the worth of the human person.

If somebody can show me how this is part of the public school system in which I laboured for six years, I would be very happy to talk to that person.

The world of *techne* continues in our time: value-free science; excessive nationalism; abstract thinking; the inflation and obfuscation in language, for example, "acceptable collateral damage," which is much like "the Jewish problem"; and an even greater capacity for annihilation. Now we are ready to die for national security rather than the fatherland.

5:10 p.m.

Who will resist this? Much of modern education is in bondage to *techne*, to instrumental reason, systemic thinking. We are led to eliminate the logos at all costs and eliminate the questions of ultimate responsibility, such as Auschwitz, Hiroshima, Vietnam, My Lai, Watergate, the arms race, apartheid. What is the missing ingredient? It is the absolute inviolability and sanctity of the human person.

Can public secular education provide the logos, the meaning? Can it mobilize resistance to the death culture? Can it break through the routinization, the bondage to bureaucracy to serve the humanum?

If that is the question for public education, then the question for Catholic education is, why, if we have the resources in our story and our vision, the strength in our cup and our book, are we loath to break with the beast, expose its lies and its destructiveness, name it and resist it? The mandate is there. We have a system based on the transcendent God which guarantees the absolute worth of each human being. This belief, as the bishops' synod statement *Justice in the World* reiterated, "will make us ready as Catholics to renounce anti-human values when they cease to promote justice for all people."

I have renounced those values of this death culture, and more and more Catholics have renounced those values. I wish to state forcefully once again that this analysis places no judgement on individual teachers in the public system who share the kingdom values which the church proclaims. It merely states the obvious. Public education cannot break with the technological imperative. It exists to serve it. Grant states it this way:

"For on one side of the picture, most people have given up not only the two great accounts of human excellence in the light of which western men had understood the purpose of existence—the one given in philosophy, the other revealed in religion—but also the very idea of human existence having a given higher purpose and therefore an excellence which could be known in terms of which all other activities could be brought into some order. The dominant intellec-

tual position of the age is that there is no higher purpose. The public realm is able to do without such a conception."

So we are to rationalize a little abortion. We are to rationalize the arms race. We are to rationalize apartheid in South Africa. After all, it is their private decision.

Rabbi Heschel in my foreword described the end result of public education today as the liquidation of the inner man and the flattening of humanity. Catholic education can never acquiesce to this cultural seduction. In such a system, there can be no ultimate purpose, no grand passion we can give ourselves to, no cross to remind us of the struggle that must be and no resurrection to guarantee our hope.

I find it rather fascinating that two of the great leaders of South Africa are ordained ministers of the Christian gospel. One has just won the Nobel Prize. I find it rather fascinating that the Nobel Prize winner two years earlier was Pérez Esquivel in Argentina, a dedicated Roman Catholic activist, who is not being political; he is being religious. That is what we cannot promote in our public school system.

Public education does well, but what it does is woefully inadequate to this century of the liquidation of the human person. There are appeals to citizenship and civic values in public schools. They are undermined, however, by the rampant individualism which accompanies *laissez-faire* capitalism, which the kids see in the 30 hours of television they watch every week, and they are not undergirded by the powerful symbols which are the foundation of the Catholic school system.

Public education can talk about a better world, and it does. It cannot talk about a new world—the new heaven and the new earth. This cannot be organized, planned or built by human effort alone. We can repent of human arrogance and believe the kingdom is given. It means ceasing to rely on our own capabilities, admitting human powerlessness.

Faith must be open to the radical other. It means letting into action, allowing his life and God's kingly rule to organize the ordinary events of history. It does not mean passivity or quietism. God's promise opens up new possibilities for humanity, and the realization of this possibility depends on human decisions. The kingdom does not bypass human faith.

Such language is foreign to public education. We must, in humility, say that technology cannot deliver the freedom of all. Liberalism exalts the

freedom of the individual. Christianity says the freedom of all.

Catholic education then delivers a potent critique of secular education. At the same time, it would be ludicrous to maintain that Catholic schools are on fire with the vision of the kingdom. The powerful insights of the second Vatican Council with its emphasis on the dignity of the human person and the creation of a civilization of love are just now beginning to percolate in our system. If we understand and appropriate these gifts, we shall never do it in a spirit of triumphalism, but in a spirit of service to the community and the world at large.

I would like to focus on a second aspect or feature of Catholic education which arises out of our tradition and biblical heritage and can animate and enhance Ontario education. Growing out of the nature of God, Catholic schools profess a communitarian doctrine which is at odds with the rampant individualism that laissez-faire capitalism engenders. We are not talking solely of community involvement here, which public education ably responds to. We are talking of global community with the oppressed, which are hallmarks of the post-Vatican church.

The technological imperative and the economic metaphor do not recognize or support these ideas. The Catholic church at Vatican II insisted that "God has willed that all people should constitute one family"; that interdependence, not independence, is needed today; that "a special obligation binds us to make ourselves the neighbour of absolutely every person"; that we can never be content "with merely an individualistic mentality"; and that it has pleased God "to make us holy and save us not merely as individuals but as a single people." The council maintained that "this communitarian character is developed and consummated in the work of Jesus Christ."

Catholic social teaching has angrily denounced the fracture of these communitarian bonds. John Paul II in his encyclical, *Dives in Misericordia*, pointed out the "gigantic remorse caused by the fact that, side by side with wealthy and surfeited people and societies living in plenty and ruled by consumerism and pleasure, the same human family contains individuals and groups that are suffering from hunger...this is why moral uneasiness is destined to become even more acute. It is obvious that a fundamental defect is at the root of contemporary economics and materialistic civilization which does not allow the human family to break free from such radically unjust situations.

Language like this will never see the light of day within the public education system. It would be too political. It would be considered going beyond the mandate of the schools, and that is precisely correct. The radical communitarian nature of Catholic social teaching as well as the Christian gospel can begin to address the serious global issues of our day.

Along with community and because of community, church teaching openly talks of solidarity. It rejects the liberal idea that humanity is self-contained, self-controlled and responsible only for itself. Existence is always co-existence. Solidarity recognizes the connectedness of everybody. Freedom is only possible in solidarity. Technopolis rejects such a vision. In this nightmarish world, order is imposed not by human solidarity but by selfishness and self-interest. Human beings continue to be thrown aside as commodities and more and more do we see money, power and nationalism become ultimate values to which humanity is subordinated as a means. This is the modern condition called alienation.

Christianity answers that humans are never means but ends. Absolute solidarity among humans is only possible in God, only as realization and participation in God's unconditional love for each person. Christians believe that it was Jesus who grounded the possibility of this new solidarity. We believe that it is impossible for humans to emancipate themselves. Society alone can never establish humanity's dignity. Unconditional acceptance is only recognizable and realizable in God. Christianity recognizes that every human person is loved unconditionally and, therefore, it is committed to absolute justice for everyone.

Secular education, we maintain, cannot currently answer the brokenness and rupture in the global community. There are many groups valiantly attempting to overhaul our public system to meet this global hurt. They are battling phenomenal odds to be heard. They speak about class distribution, disparities in income, gender differences and community controls. The consumer culture will only tolerate this language for so long. It will always attempt to subvert the above worthy goals and attempt to steer the system back to producing compliant acolytes for liberal capitalism. It will attempt to deflect public education from the historical task of humanization.

But, again, while we wish those idealistic reformers success, we must say there is another public system with another language which has

been sanctioned by that community. That language talks of the priority of labour over capital, the needs of the poor over the wants of the rich and the preferential option of the poor. It says the rights of workers are more important than the maximization of profits.

These have become common coin in our Catholic history. Can a teaching such as this not be good news for the global community? Where can we find analogous language in the public system? What other institution can penetrate to the heart of the matter and offer such hope to the human family?

Catholic education from our perspective offers an authentic critique of the technological imperative active in laissez-faire capitalism. It poses a strong communitarian vision of history which goes beyond the playground of the local school and demands solidarity with the oppressed and marginalized people who bear the face of the crucified one.

5:20 p.m.

Finally and briefly, we would add that it proclaims a consistent pro-life ethic to counter the accelerated diminution of life so prevalent today. Catholic education has chosen life irrevocably from the uterus to the gallows, from Soweto to the Russian people, from the tortured to the innocent victims of nuclear war. We opt for life.

What a gift to this province and this country, schools alive in a holistic vision of life, standing against desensitization on behalf of the human person.

I do not think we are naive. The American syndicated columnist Nicholas von Hoffman was close to the mark when he said:

"The Vatican says that church schools ought to be helped 'in face of materialism, pragmatism and the technocracy of contemporary society.' According to Rome, parochial schools are 'alive with those who are building a world that is new—one which is freed from a hedonistic mentality and from the efficiency syndrome of modern consumer society.'

"Any school system dedicated to imparting such values is worthy of support. But by their fruits you shall know them, and the products of Catholic education in the United States seem as enslaved to hedonism and the efficiency syndrome as Jews, Baptists and pagans.

"The failure of American Catholic education is that it has made its students socially docile and politically conventional persons, far from being models the rest of us can look up to, they bear a depressing resemblance to everyone else."

While the vision is in place and the spirit of the Second Vatican council is just beginning to breathe in the schools, we have yet to come to terms with the mortician culture in which both our school systems are situated. We have too often acquiesced to the immoral world order and legitimized it by our silence. Sacred rites divorced from the struggle for the new heaven and earth have been the order of the day. We have been wounded with a cruel innocence and a painful naiveté as to our real educational mandate in Catholic schools, which is the preparation for the coming of the kingdom.

We have periodically been triumphalistic, claiming a de facto superiority assuming by fiat what we failed to do in deeds. We have used the holy name as a substitution for following the crucified one to the cross. We are still learning, as Isaiah said, "What sort of a fast pleases the Lord—to break unjust fetters, to let the oppressed go free and break every yoke." We have been weak and pusillanimous. We have not risked for the sake of the kingdom. We have lacked faith in the empowering presence. We have been arrogant not seeing the kingdom values in much of public education.

When we are these things, we betray the public which deserves our difference, and not our sameness.

In our best moments, however, when we let God be God, the source and fount of our lives, when we bear the marks of his crucified son, when we speak passionately for the humiliated of the earth and the humanization of culture, we unleash the spirit and transformer into the ambiguities of history. This many splendoured gift, this pearl of inestimable worth, not ours in the making but only in the receiving, renovates the society at its foundation and helps to build the civilization of love.

We, Teachers for Social Justice, members of the community of faith, are privileged to teach in a system which proclaims ultimate meaning, one grasped in faithful servanthood and discipleship. We offer this gift to all the citizens of this province and thus to all brothers and sisters in the human family wherever they live.

Mr. Chairman: Thank you, Mr. Schmidt. Those who have been waiting for a statement from Catholic teachers about why they think the system is different, have just been told very articulately. It is the first brief we have had which used one of my favourite words, pusillanimous. I was delighted to see that. It made my day all by itself.

I have only one question. During the brief, you allude to the fact that you are only 70 teachers, although the tone of the brief is so upbeat with respect to the philosophy of Teachers for Social Justice, that it gets swamped a little bit. Although you say you do not find your capacity to teach these things in the public system because it is considered political rather than religious or whatever, you are still a fairly small group within the Catholic system at this point. I wondered if you could make a couple of comments about the kind of impact you think your group has had within the school system and how that has affected the overall approach of the system in Ontario.

Mr. Schmidt: I have often made the analogy between why we are so obsessed in this province today with the holocaust and the nuclear arms race, and justly so. Those insights have taken 40 years to come down to the present where we had to deal with a Keegstra and a Zundel and deal with the arms race today.

At the Second Vatican Council, we have had a nuclear fission of the spirit, and that is only 20 years away. I would dare to suggest that those insights are just beginning to animate Catholic schools, to make them schools with a difference, not the school down the block. Our particular group has had a profound effect on our provincial association with respect to the annual conference we have for teachers. They are starting to see the linkage of religion and culture—religion in society—not religion over here and not society over here but profound servanthood.

Therefore, my answer would be that these insights are growing rapidly in the Catholic school system. No longer are we pushed to the margins but their people are seeing that we are one of the few groups in the system that know a Christian tradition, know the scripture and are articulating a vision that links religion, politics and culture. You can expect more of this, much to the chagrin maybe of some of our trustees.

Mr. Chairman: Yes, I am aware of a few of the alterations that have taken place there. Are there any other questions from members of the committee?

Mr. Allen: I do not want to ask a question but it sounds a good deal like some other elements of another tradition, the Protestant prophetic social criticism with which I am also familiar. It has been one of the briefs that has been full of convictions. Many of our briefs wander back and forth between observation and analysis, supposition and assertion and what have you. But to have a brief that renders its position in a very

consistent way like this and to maintain a critique of education in contemporary society from your standpoint is helpful.

Mr. Schmidt: Thank you.

Mr. Chairman: Thank you, Mr. Schmidt, for being our last invited guest to this point in responding to the public appeal. Neil McNeil Separate School is lucky to have you and the system is lucky to have your association.

Mr. Schmidt: Thank you very much.

Mr. Chairman: That concludes the briefs presented to us in response to our ads over the summer. You may recall as members of the committee—yes, we could break into a small group applause here if we wanted, or collapse—there was a lot of talk about whether we would be still sitting here at Thanksgiving. I am not sure which Thanksgiving we were talking about. We are around to the American Thanksgiving at this point.

I have a motion which has been handed around that Mr. Reyecraft will read into the record. I wanted, before he does so, to indicate the procedure we will follow because there are a number of you who are new to committees and we have not, as you know, had any votes up to this point. We have deferred all voting matters until the point when we had no further presenters.

I will let you know the process. Motions can be put forward by a member without a seconder. When a motion is put, I will recognize the person who has put the motion and that person may speak to it before I receive other speakers. The process I will use, unless I hear differently from you, is to hear one representative from each of the other two parties on it in that order. Then I will open it up and take a list as usual.

Unlike the House and debate there, you have a chance to speak more than once and I will only cut people off if I feel they are being redundant, frankly, and otherwise allow people to have a full debate. Because of the nature of the resolution before us—there are several parts to it—I presume there may be amendments to portions of it or we may wish to divide the motion for votes and I will accept those suggestions as they come forward from the committee.

5:30 p.m.

It is 5:30 p.m. and we have to adjourn by order at 6 p.m. if we have not completed at that time. It is my intention then to have this come on first thing tomorrow morning as we reconvene in committee room 1, I will remind you, not here, at 10 a.m. Then we will move to Mr. Allen's motions following that.

If and when we come to the actual vote, there is a procedure in committee whereby, to ensure that all parties have a chance to vote, we can have as long as a 20 minute break in which you can go out and gather members if we are not all present as we are at this point. The moment I see all members present, however, I will move to vote with dispatch so we do not sit around delaying. When we finish this debate on the motions that will be presented—and we will take the motions as you normally do, with amendments first and then moving back to the main motion—I will make sure all members have a chance to get their members in with plenty of time.

Are there any questions about procedure before we go on or will I accept a motion?

Mr. Reycraft: Does the six o'clock mandatory adjournment still apply even if there has to be a 20 minute wait?

Mr. Chairman: It is a matter of the chair seeing the clock, and sometimes in the past we have not looked too much to our right to see it, given that we managed to pull all the members together at what was really five past six.

Mr. Jackson: You never look to the right.

Mr. Chairman: I have tried my best not to look to the right. You are right, Mr. Jackson. So it might be very hard for me to notice the clock, and I am sure members will know they have the right to draw to my attention the fact it is six o'clock and time for adjournment.

As all groups and individuals requesting an appearance before this committee on Bill 30, An Act to amend the Education Act, have been offered an opportunity to appear, Mr. Reycraft moves that:

"1. Public hearings on Bill 30, An Act to amend the Education Act, be concluded at this time;

2. That any further witnesses speaking on the bill be at the invitation of the committee;

3. That clause-by-clause examination of the bill be postponed until the courts have ruled on the issues that have been referred;

4. And that an interim report be presented to the House informing the House of the current status of the bill."

The motion is in order. One thing I did not say is that the preamble is not debatable and is not part of any motion that would go back to the House. Only the resolution from "Mr. Reycraft moves" on is debatable.

Would you like to speak to your motion?

Mr. Reycraft: Just briefly. When the minister introduced Bill 30 in the Legislature during the

first week of July—it seems so long ago now—he spoke of the fact that the public hearing process to be associated with the bill would have no arbitrary deadline. It appears to me that wish has been respected. Over the course of these several months, having received close to 900 briefs, we have had an opportunity not only to gain insight into concerns and positions in relation to Bill 30, but also to gain an awareness of the system of education across this province and its many diversities.

The decision of the Court of Appeal may very well contain information from which this committee might wish to take direction as it proceeds to clause-by-clause debate, and that is the primary reason we would wish to see that examination deferred until after that decision.

I am also aware there is other business to be placed before this committee, not the least of which is the estimates. Therefore, it would seem to us more appropriate to proceed with that business rather than proceeding to clause-by-clause discussion of the bill. I will terminate my remarks at that point.

Mr. Chairman: You may rejoin the debate at any time.

Mr. Jackson: I propose that we split the motion.

Mr. Chairman: Do you want us to split it into four sections and deal with each separately?

Mr. Jackson: Please.

Mr. Chairman: Is there any opposition to that? Do you accept that as a friendly motion? Yes. We will split the motion for votes into four parts which are fairly clearly laid out there for members. We will take it as friendly but I do not think we need it as a motion. Therefore, if you would like to speak to the general principle or the first item, that would be fine.

Mr. Jackson: May I place an amendment to the first item?

Mr. Chairman: Certainly. Do you have a point of order, Mr. Allen?

Mr. Allen: No, I just have an amendment.

Mr. Chairman: Okay. I will recognize Mr. Jackson.

Mr. Jackson: I propose motion 1 be amended to read, "I move that the public hearings on Bill 30, An Act to amend the Education Act, be held in abeyance at this time". Strike the word "concluded."

Mr. Chairman: "Held in abeyance" should replace the word, "concluded."

Mr. Jackson: And in the second—

Mr. Chairman: No, we are splitting it, so we will deal with that first. Would you like to speak to your amendment?

Mr. Jackson: Very simply, if we are leaving open the option to summon speakers or invite further witnesses, we would not wish to fall back on the fact that the hearings are concluded. If they are to be open and public and if we will have further witnesses, then I believe the intent of the motion should read that they be held in abeyance.

Mr. Reycraft: It is my understanding that the committee always has the option of inviting witnesses to appear before it and to give evidence. I am not sure I disagree with the explanation Mr. Jackson has put forward that we will have the opportunity to summon such witnesses. That is made very clear by section 2.

However, I also remind the committee that public notice of these hearings was given back in July—I am not sure of my dates—along with the suggestion that representations or requests for appearances before the committee should be submitted to the clerk by the end of that month.

Mr. Chairman: The date was August 2, as I recall, and it was for written submissions.

Mr. Reycraft: Quite correct, but the message was there that they should come forward at that time. There has been a great deal of publicity surrounding this issue. The business of the committee has been well advertised, and it seems to me that individuals who wish to appear before it of their own volition have had ample opportunity to indicate that.

My concern is that we might be sending out the signal that we are going to remain open ad infinitum to receiving such delegations, and that really was not the intent. It is my understanding that all those who indicated a desire to appear before the committee have been offered the opportunity to do so, and that part of this process can now cease.

Mr. Allen: Part of my problem is that I am not quite clear what the impact is going to be of an amendment to one of these sections that we have divided off upon alterations in subsequent parts of the motion if we take them all in series. A major conflict may well develop between an amendment to this one and an amendment to another one.

For example, if one were to argue that we should not accept section 3 and if we were move that we should go into clause-by-clause right away, then it would seem to me pretty strange to argue at this point that the hearings should only

go into abeyance. They would clearly have to end before we could go into clause-by-clause.

Therefore, I find it rather difficult to speak about one amendment to one section without looking at the whole package. I am reluctant to support the wording “abeyance” as long as we preserve the right to call and indicate that we are prepared to call other witnesses as they are needed.

However, having listened to 870 briefs, I think no one can accuse us of not having heard every possible perspective on the bill at this point. I find it a little difficult to think that the wording makes a great deal of difference for us at this point to the extent that we should substitute “abeyance” for “conclude” if the next item is passed.

Mr. Chairman: Nobody was speaking against the notion of splitting, and therefore we have to proceed one at a time. It does not preclude discussion of it in the context of other sections if you wish, as you have just done. You are right that this can be the problem with a split, but not as long as it does not stop committee members from saying the reason they do not think they want to support this, or they do wish to support that, is something that they are later on going to put their position on.

You have decided that you want to go one by one, so that is what we will do.

5:40 p.m.

Mr. Reville: On a point of order, Mr. Chairman: There is no question that the committee agreed to split the motion into four parts, but presumably that is for purposes of voting. Perhaps we could hear amendments to the four parts and vote on them separately, if that process were acceptable to the committee.

Mr. Chairman: Do you wish to stack the amendments? Is that what you are saying?

Mr. Reville: Yes.

Mr. Chairman: What is the feeling of the committee members?

Mr. Davis: With all due respect to my learned colleague, the chair has ruled that we will deal with this seriatim, and my understanding of that process is that you deal with each clause, clause by clause, and you vote on it.

Mr. Chairman: Unless I am instructed differently. I presumed we were going one by one, but we also would have the option of stacking all votes, as we would in the House. I am in your hands as to how you would like to proceed. It is not my decision.

I gather Mr. Reville is recommending that we stack them all. I would be interested in hearing your opinions on that point of order.

Mr. Davis: Would you explain stacking?

Mr. Chairman: Sorry. Stacking means that—

Mr. Bernier: There was no mention of stacking.

Mr. Reville: I just made mention of stacking, Mr. Bernier.

Mr. Chairman: Initially there was only the split, and now on a further point of order on the whole process of splitting the matters it has been suggested that we should stack.

What it means is that rather than take a vote, for instance, at the end of the discussion on the first amendment, we would stack that vote till later and then take each of the votes in order, with the first amendments again, moving back down through till we take the final vote, rather than take a vote right at this time, for instance, if there were no other speakers. That is what I am asking your guidance on.

Mr. Allen: On a point of order, Mr. Chairman: In that connection it would seem only reasonable, if we are striving for some consistency of position, not only that we stack but also that before we vote we review the consistency of the amendments that have been developed, point by point.

Mr. Chairman: You can make those arguments as you are going through. I do not think there is any format for that.

Mr. Epp: We would not have any difficulty with stacking the votes, as proposed by Mr. Reville. If we can get a consensus in the committee to do that, we can proceed with the discussion of the various sections of the amendment.

Mr. Jackson: I was very pleased to respond to the direction you gave that we would deal with the sections individually and vote on them individually when you ruled that I could not proceed with the series of amendments. I see no reason why we cannot deal with each in sequential order and vote on them accordingly. Mr. Reycraft has presented his motion in a format that is quite conducive to that approach; so I have no reason to suggest we should not.

If we are arguing over whether the process should conclude or whether it should be held in abeyance and about public reception, I think we should deal with the foundations of each of these steps in the order in which they are given to us.

Mr. Chairman: You are speaking against the point of order? Therefore, there is no consensus,

and I think we will need to take a vote on this matter before we proceed any further on the point of order.

Mr. Davis: I would like some clarification. If we have agreed that we are going to debate them clause by clause and vote on them clause by clause—nobody objected to it; so one must assume there was an agreement on that process—I do not think someone can now come along and say: “By the way, I did not really mean that. I want to change it.” That should have been articulated when you, in the chair, agreed that this was the process we would follow.

Mr. Chairman: Again I am in your hands as a committee as to how you want me to operate. At any time you can raise a point of order and request a change of ordering on this, and that is essentially what is being done. I am saying you can deal with these one at a time, if you will, and take the votes now or later; it does not matter to me. I am hoping that all members will be able to put each of these in context each time as we go through. I do not see that these four matters are that different.

Mr. Davis: I would like to clarify what you are suggesting. You are suggesting—and I will use the first resolution: “I move that public hearings” and the amendments—that we now discuss this.

Mr. Chairman: Yes.

Mr. Davis: When the discussion is finished, you will say we will not vote on it; you will hold the vote on that issue until we discuss all the others.

Mr. Chairman: It will be the first vote that will be taken, but it will be taken after we hear all the other amendments.

Mr. Davis: But we would be discussing only the first item.

Mr. Chairman: That is right. Mr. Davis has made a good point about the fact that it is contradictory to suggest we can stack while we are splitting. It means we have to deal with them. I was wrong in my position on that. I would have to be directed by the committee to do otherwise. It is in contradiction to the notion of stacking. I will need either a motion from someone saying he wishes it stacked or a challenge to my ruling and turn it down, one or the other.

Mr. Epp: I do not wish to challenge your ruling. I disagree with you. I do not see anything contradictory in itself to stack the various—

Mr. Chairman: As I say, you have one of two options: either challenge or put forward a motion.

Mr. Epp: I am not challenging it.

Mr. Chairman: You can put forward a motion, if you would like, that we stack. I am not going to suggest—

Mr. Epp: If Mr. Reville wants to put it forward, then we will be glad to—

Mr. Bernier: I have to agree with Mr. Davis and Mr. Jackson that we agreed to break it into four separate items. I do not know how you can go back and say we are going to stack them, after we agreed to break them up. They are four different items.

Mr. Chairman: I ruled that is the case; again, I have to be challenged if it is not going to hold.

Mr. Bernier: Yes, the chairman is right.

Mr. Reville: On the same matter—I do not know whether it is appropriate to speak again—I would like to move that the committee stack the votes on each of the now-agreed-upon four motions rather than one. It seems to me the first decision was to take Mr. Reycraft's motion and to divide it into four parts.

My intention was to further assist the committee by suggesting that it is fine to deal with this in four parts and that the appropriate way is to vote on it in a stacked manner. Any amendments made to each of the four parts then can relate to the other four, and the committee is not put in the position of wondering what amendments are going to be made to the succeeding parts, which may change the nature of the motion for which they might want to vote. I would like to make that a formal motion.

Mr. Jackson: Do you challenge the chair?

Mr. Reville: No. I am using one of the two options that were suggested by the chair. One was to make a motion; the other was to challenge the chair. I would never think of challenging such an experienced and valiant chairman as Mr. Johnston.

Mr. Chairman: I am going to rule that it has to be a challenge to the chair. I think it should be accepted as that.

Mr. Reville: Then I will have to withdraw the remarks I made about refusing to challenge the chair.

Mr. Chairman: That is right. In fact, that is what that is, and it needs to be that. It is a nondebatable motion. I suppose I can withdraw from the chair to speak to it, unless you wish to dispense with that; then we will hold the vote, but there is no further debate.

Essentially, my ruling was that it was a contradiction to suggest we should deal with this

individually and then stack the votes later on, because in a sense that often is what we do when we are taking the matter in the whole. It is not something you can do if you are actually splitting the vote, because you are separating it out and voting separately on each part. Therefore, if members wish to have stacking rather than splitting, the only way to change that is to overrule my decision. There is no debate.

Mr. Epp: Can I get a clarification?

Mr. Chairman: What I just said is as much as you are allowed; that is the debate, I am afraid. Essentially, to understand the vote you will taking, I am saying that if you vote in support of the chair, you will be saying that we are splitting each of these items and voting on them separately, one at a time, and then voting on the overall motion at the end.

If you vote against the chair in this case, you are suggesting that is not the case, that you oppose that. Then I would need a further motion that we stack the votes.

5:50 p.m.

Mr. Epp: I guess my only question is that in the House, as you know, we can stack amendments—

Mr. Chairman: This is debate and I cannot have debate on it, I am sorry.

Mr. Epp: I am just asking a question. We can stack amendments and we can stack bills. How do you differentiate that from being able to stack various parts of a motion?

Mr. Chairman: It is because of what was agreed to initially, which was a splitting of the matter. That is a process that is not allowed in the House. Therefore, we will hold the vote. Again, do you understand the implications of a yes or no vote? If you support the chair, you vote yes and that means you are in favour of the split; if you are opposed to the split, you vote nay.

All those in favour of supporting the chair, please indicate. Four. All those opposed, please indicate. The chair is overruled for the first time. Wonderful; a real baptism.

Motion negatived.

Mr. Jackson: I have a question. Your final statement for calling the vote was that the challenge in the chair was whether to split. I thought I made it abundantly clear that my motion was to split. The question now remains on the stacking, not on the splitting.

Mr. Chairman: The ruling, as I see it, was on whether you could do both. I said you cannot; others were saying you can. We therefore have,

in my view, a stacking situation, or we can take a vote on it, if that is the committee's will.

Mr. Reville: Would it help if I moved that we not only split but also stack? Would that cover everybody's concern?

Mr. Chairman: Essentially that has been done, but if you would like to move that, it can be done.

Mr. Jackson: On a point of privilege, Mr. Chairman—

Mr. Chairman: Just a second; I will make sure we have a motion before us. I do not know if it is a point of privilege, but it can be on this point of order.

Mr. Jackson: On a point of order then: You took great pains to explain the process in recognition of the fact that a large number of members of this committee are new to the House. It was my motion which I put forward. My understanding was that when I called for a split vote, I was operating under Robert's Rules of Order, which meant that I was splitting the vote and that I was calling for a vote on each split motion.

I do not think it is necessary to ask Hansard to read back the exact wording of my motion but, given that motion was approved, was it lacking on the part of the chair to correct me with my motion so I find myself in this predicament now?

Mr. Chairman: It is because the will of the committee, in my view, was that the members wished to change the intent of that first decision. They have the right to do so, and that is what has been done. Now we have a motion on the floor which is reasserting that directly, rather than indirectly as a challenge of the chair.

Mr. Davis: I have a point of clarification to try to deal with the motion on the floor. What that motion now means is that you will deal with that first section about the concluding of the hearings, we will debate it and then we will make any amendments. Will those amendments be voted on now or laid aside and voted on after we go through the other three clauses?

Mr. Chairman: The way I interpret the motion that has just been put forward is that we will deal with this section first, with any amendments or motions that may come out of it, and then we will stack those until the end of the debate on the other sections. They would then come up first as we go through the matter later on.

Mr. Davis: Assuming that some of the discussion follows, is it in order at that point to move that, instead of dealing with section 1, you

could deal with section 4 because the passage of section 4 will affect section 1? Can we change the order of stacking?

Mr. Chairman: Yes, we can move that. You would have to move that this be the order. I would normally take the order as the sections come through, but you could do that. If there is general agreement on it, I do not think there is any problem. I think what members are trying to overcome is that, when dealing in isolation with one section, we may negate other sections or make it impossible to have other sections go through.

Is there any more discussion on the new motion, which is splitting and then stacking each of the votes that come forward and having the vote on the overall motion on the end? If not, all those in favour of the motion please indicate. All those opposed?

Motion agreed to.

Mr. Chairman: There was a motion that "concluded" be replaced by "held in abeyance" in that first section. Is there any further debate on that matter?

Mr. Davis: By using the words "held in abeyance" we still fulfil the mandate that was given to this committee by the Premier and by the Minister of Education, who said they would not interfere or bring these hearings to an end if people still wished to come before us. As of today, we have heard the last delegation that has indicated it wished to do so. However, the word "conclude" seems to indicate we are not going to hear anybody else.

This committee still has to wrestle with the question, whether we decide to do it clause by clause, and there was an indication we might bring back certain individuals to respond to some kind of direction, either before or after clause-by-clause. I know that has still to be debated. If you use the word "conclude," it will eliminate anybody who wishes to come at that time.

I think "held in abeyance" keeps the door open for us to say that if some delegation phones all of a sudden next week and says, "We would like to come," there is still an opportunity for it to do that. "Conclude" means it is finished, it is over, no matter what the second paragraph says.

The first paragraph puts out a message; it is very clear that this motion ends the hearings. I think it is an inappropriate word. I prefer words like "held in abeyance" or "suspended" or something that means there is still an opportunity to reopen, renegotiate or rediscuss. I would be opposed to the word "conclude" and would support the amendment "to be held in abeyance."

Mr. Chairman: Is there any further discussion? Will we consider that the only amendment to section 1? Are there any others?

Okay, let us move on to the second section, "That any further witnesses speaking on the bill be at the invitation of the committee."

Mr. Jackson: I would move an amendment to read as follows, "That any further witnesses wishing to speak to the bill be at the agreement or consideration of the committee."

Mr. Chairman: The motion is to change the section from "That any further witnesses speaking on the bill be at the invitation of the committee," to "That any further witnesses wishing to speak on the bill be at the agreement or consideration of the committee."

Mr. Epp: Mr. Jackson, what you are saying is that the committee is going to have to come to grips with whether it wants to invite anyone else.

Mr. Chairman: Mr. Epp, I first allowed the motion as being in order, and I will let Mr. Jackson speak to it and then put you on the list, unless it is a friendly amendment and there is no problem.

Mr. Jackson: Mr. Epp was overzealous in inviting my explanation, and I will proceed to give that to him.

In its current state, the motion implies that the value of a witness's presentation before the committee will be solely at its invitation, whereas what is implicit in the spirit of this committee's activity is that, if there are further witnesses wishing to speak and there is a conscious desire on the part of deputants to provide new or first-time information, they would continue with the process in place and make written requests to appear before us.

At the chairman's discretion, those written requests would be dealt with by the steering committee or the committee at large. It would be by our agreement and consideration that they would appear before us.

We know the committee has always had the right to invite people at any point in the process. What I am trying to resolve is, do we shut the door in an absolute way to any party that expresses a wish to attend before us? I think we want to be in a position where, if someone expresses a wish to appear before us, we do not have to tell him, "No, it is only by invitation." It should be open-ended to the extent that the committee knows about all the requests, and not solely the chairman. I consider it a material change to the intent.

Mr. Reyecraft: I speak against the proposed amendment, partly for the same reason that I was opposed to the change in the first part of the motion. A period of four months has now gone by, during which people who wanted to make representations before the committee have had the opportunity to indicate that. There is nobody left; we have heard all those who have said they wanted to appear before us.

I have a great deal of concern about somehow sending out the message that this is going to go on for ever. We talked in jest about being here for Mr. Timbrell's 40th birthday, and I am wondering if that is what we might be leading to.

I also think it is inappropriate, the way the amendment is worded, to indicate that if other people come forward and say they want to be heard, we are going to say yes to some and no to others. I do not know how the chairman can be expected to determine which ones are worth appearing before the committee and which ones are not, given the fact that they are asking for the invitation to do so. I have to speak against the amendment.

Mr. Chairman: Is there a speaker from the New Democratic Party? I have a fairly long list of people who wish to speak; I will take one from each party.

Mr. Allen: I simply want to comment to the extent that the first part of Mr. Jackson's phrasing, "that any further persons wishing to speak on the bill," is a somewhat more felicitous way of rendering the statement. I am in accord with that.

However, as far as the substance is concerned, it seems to me we need to enter into a different phase of our committee's life at this point and we need to have some control of the process that we are going through. We need to be able to function by virtue of invitation, and that is left to our discretion. If people or groups indicate an interest in making a presentation, we will have to weigh that in terms of our priorities and needs as a committee; we will have to do that not just in a whimsical fashion as to whether we would like to hear them, or whether they merit to be heard in some fashion, but on the basis that they relate to the process.

It is clear to the world that we are entering this new stage of the committee's proceedings at this time, and we need to say so forthrightly. Therefore, I oppose the amendment.

Mr. Chairman: We have now had one speaker from each party, and what I will do is recognize the fact that it is six of the clock.

We will resume tomorrow morning at 10 o'clock in committee room 1, and the debate will resume on Mr. Jackson's amendment to the

second clause. I will make a new speakers' list at that time, depending on who is in first thing.

The committee adjourned at 6:04 p.m.

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From the Metropolitan Toronto School Board:

Brown, C. G., Director of Education and Secretary-Treasurer
 Moss, P., Vice-Chairman
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No. S-85

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Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, November 20, 1985
Morning Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

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Vice-Chairman: Allen, R. (Hamilton West NDP)

Bernier, L. (Kenora PC)

Davis, W. C. (Scarborough Centre PC)

Epp, H. A. (Waterloo North L)

Guindon, L. B. (Cornwall PC)

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Miller, G. I. (Haldimand-Norfolk L)

Offer, S. (Mississauga North L)

Reville, D. (Riverdale NDP)

Reycraft, D. R. (Middlesex L)

Substitution:

Henderson, D. J. (Humber L) for Mr. Epp

Clerk: Mellor, L.

Assistant Clerk: Deller, D.

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, November 20, 1985

The committee met at 10:14 a.m. in committee room 1.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I will call the meeting to order. I want to thank all those who are now departing for their prompt installation of the sound system.

We are reconvening this morning to continue yesterday's debate on Mr. Reycraft's motion. We are dealing with an amendment to that motion on the second clause as amended by Mr. Jackson. I remind you that it would be amended to read, "That any further witnesses wishing to speak on the bill be at the agreement or consideration of the committee."

We have so far had three speakers on the amendment. Are there others who wish to speak on the amendment?

Mr. Davis: I believe it is the amendment to make it "agreement" rather than "invitation," so it will read "agreement or consideration." There are a couple of areas that we have as concerns. One is that there is a promise of unfettered hearings, that we would not stop the hearings, in the resolutions we moved. The first is that they would be suspended rather than concluded.

To say "by invitation" of this committee creates a possibility that could be abused, although I would not say that would happen. With "the agreement" means we sit down as three parties and say yes, we will hear that particular group or we will not. That eliminates any individual having to make that decision.

For example, when the Kenora board had that difficulty it was raised by our party that its representatives should come again. After some quick consultation, we all agreed they should and afforded them that opportunity.

As we go down the road and move to hearings on clause-by-clause, or when there is some area of concern on which somebody wishes to address this committee, I think it is only fair and just that as a committee we hear who has asked to come and then together decide which group should come before us.

Maybe together we would say a person should not come because of the impact that person would have as an individual, whereas we might say a particular board that may not have come before or wishes to come again at this point should have some input.

Therefore, I would be much happier with Mr. Jackson's amendment than with the present motion.

Mr. Bernier: I want to reiterate what Mr. Davis has said and lend some support to that. I think it is fair to say, looking at the motion as submitted originally, it leaves it to the committee to make the invitation. There may be numbers of groups that may wish to appear because of circumstances that may develop within the next few weeks. I suppose we have already concluded the hearings in the first resolve; however, there is still room for this committee to make that decision in agreement or with some consideration.

Mr. Davis has put it very well; there may be groups that will want to come and we can decide among ourselves if they should be heard. If we are going to have an open discussion, an open government, as we have heard so often in the Legislature, with everybody being heard, we will sit here until doomsday if it has to happen. This speaks to that tone of discussion about which we hear so much.

Mr. Reycraft: I would like to go back to the point I made yesterday, and in response to what Mr. Davis has suggested I do not believe this action constitutes stopping the hearings. I think the public hearings and submissions with respect to Bill 30 have stopped; there are no others who have expressed a desire to appear before the committee who have not been given the opportunity to do so.

It is not an action we are taking; the hearings have stopped themselves. We have to acknowledge that fact. It seems to me the amendment would send out a message that we have not acknowledged the fact that all those who wished to appear before the committee have had an opportunity to do so. It leaves it open-ended and suggests we are prepared to continue ad infinitum hearing people who, four months after the invitation was extended, decide they want to make an appearance.

Somewhere along the line we have to recognize that everyone who wishes it has had his say and get on to the business of discussing in our caucuses how we are going to react to those submissions; therefore, I am not prepared to support the amendment.

Mr. Chairman: If there is no further debate, I think the positions have been fairly well laid out. Let us move on to the next clause. The clerk has now separated these out for us, as members will notice on the papers. The next subject for debate is, "That clause-by-clause examination of the bill be postponed until the courts have ruled on the issues that have been referred."

Mr. Reycraft, do you have anything to say about that portion of your motion before we proceed?

Mr. Reycraft: The minister indicated previously it was his wish that clause-by-clause examination of the bill not take place until the court had ruled on the referral. There is an amendment to this that we would support. I am not sure it is in order to make it at this stage, but we would like to change the part that says "until the courts have ruled" to "until the Court of Appeal has ruled" to be more specific in that section. If it is in order, I would put that forward as an amendment.

Mr. Chairman: It is in order. We will have speakers to the amendment, and then you can do that within the context of the overall clauses.

Mr. Davis: I have an amendment that I will place on the floor at this time; then I will speak to it and to the clause. We would move that clause-by-clause examination of the bill commence immediately and eliminate the rest of that proposal.

We have caucused on this issue and we are unanimous in our position that—

Mr. Allen: On a point of order, Mr. Chairman: Are we discussing, or have we simply accepted Mr. Reycraft's amendment?

Mr. Chairman: No. We have moved on. Another amendment has been placed on the floor that now supersedes it. We are now discussing the amendment by Mr. Davis.

Mr. Allen: The amendment that Mr. Davis is proposing is an amendment to a motion that reads "the Court of Appeal" rather than "the courts." Is that correct?

Mr. Chairman: That is right; it is, in that we never dealt with that item. But since the motion is one that essentially runs contrary to the general motion I do not think that is a problem. We are now discussing a motion that suggests that

instead of waiting for the courts we commence immediately; whether that is subsequent to accepting the other position or not is irrelevant. The process will be that Mr. Davis will speak to it, and then any other members who wish to speak to this subamendment may do so.

Mr. Davis: That is the new amendment.

Mr. Chairman: That is your amendment. We are now discussing an amendment that would make it read "That the clause-by-clause examination of the bill commence immediately."

Mr. Davis: Work on this piece of legislation has been going on for several months; in fact, for more than a year and a half. We believe that for the betterment of education in this province it is time to begin to deal with this matter and to clarify it. We are well aware the courts could rule that we would have to come back and make some amendments or some changes in the amendments we had dealt with, but we feel it is more appropriate at this time to begin the clause-by-clause examination.

Many witnesses have come before us; they have given us indications of where they feel the legislation is weak. In that process, as we have gone on and talked to them, we have raised expectations on the part of the various delegations that have come before us in that we have talked in general about how we might amend the legislation. It is now imperative that the various parties in this committee begin to place their positions very succinctly in respect of things such as the single-school community and the processes that will be used if the legislation is found correct in respect of the transfer of teachers. There is a lot of concern out there for nonteaching staff who currently do not have access to grievance processes. They need to know whether this is going to be built into the legislation.

By beginning the debate now we will begin to appease and start to remove some of the fears and concerns that the public have. There is no doubt in my mind or in my party's mind that the people of Ontario need to know where this piece of legislation is going to settle.

I also think it can be done even though the court case is going on. If I understand the initial steps—and the Liberal government moved this into the courts before the striking of this committee—as I read the information that was set before me that you gave us about being in conflict with the courts, we have met all this period of time and no one has indicated we are in conflict with the courts.

It seems to me that at this point we should begin to move into clause-by-clause. It is an

easier matter to make a series of short adjustments in the legislation than it is to wait until the courts rule. At least we can get out there this committee's feelings on where we are going and what we think is important.

I would like to qualify that by saying we would be prepared to reconsider if the minister has some concerns, but to this date I have not heard the minister state that he preferred clause-by-clause to occur afterwards. It is fair to the public of Ontario that we begin the clause-by-clause debate so they know exactly what the intent of this committee is and do not have to wait until the courts have made their judicial response.

Mr. Chairman: As I indicated before, I will hear from the Liberal Party and then the New Democratic Party. Then I will open it up to other members.

Mr. Davis: That is fine.

Mr. Reycraft: The main reason we are putting forward this section and wish to stand by it is that we do not want to see the government, the Legislature or this committee viewed in any way as holding the Ontario Court of Appeal in any kind of contempt.

It seems to me that if we proceed to clause-by-clause study we are doing exactly that, because as we proceed to the clause-by-clause there will undoubtedly be amendments made to the bill. At present the bill has been referred to the court. Once those amendments are voted on by this committee, in essence the bill that is before the court no longer has any meaning. It seems to me the court would view that kind of action as a very serious affront.

In addition to that, there would then be in existence another bill, consisting of this bill together with its amendments, that is going to be in a kind of limbo but that would eventually be placed before the Legislature.

The third point is that the court decision, which we still expect to get early in the new year, would be a rather meaningless decision to a great extent because it would be a decision on a bill that no longer existed.

There is one other point I want to make which concerns the whole matter of precedent. It is my understanding that in 1983, when the Legislature was considering French-language governance legislation, a referral was made to the court at that time. Once that referral was made, the government of the day made the decision that there should be no further consideration of the bill by the Legislature until the court had rendered its decision.

If we proceed as Mr. Davis is suggesting, it seems to me there is inconsistency in the action of this committee and of the government of the province with respect to the way we deal with legislation that is before the Court of Appeal.

Mr. Allen: I want to speak against the amendment. I do not want to speak against it simply because the minister wants it otherwise; and I do not want to speak against it for some questionable reason of whether we might be in some formal status of contempt of court, I do not think we would be.

10:30 a.m.

I think the reasons given are quite contrary to the effect that amending it in the direction Mr. Davis suggests would have. It would make the work of the court difficult and meaningless even if there were not a situation of contempt. We in the Legislature would have one bill in hand, amended, going to committee of the whole and heading for third reading. The court would have another bill in hand. The public would see two bills in process. Judgement would come from the courts. Where does it all end up in the public's mind? Complete confusion, it seems to me.

The fact that we have been at this business for a long time is rather irrelevant. The important thing is to keep the process as clear as possible for everybody concerned now that we have it on track. We would not be clarifying anything, for example, if we amended this bill on the assumption that the extension of funding to Catholic schools was permitted but not obligatory as far as the province was concerned and then turned around and had to deal with a court decision that said it was obligatory. The obligation would then wipe out a number of the amendments that we might make on the assumption that we could deal with the critical questions of hiring, discrimination, exemption and access on one basis, whereas the court had come back and delivered to us another basis upon which to think about critical elements of the bill.

The whole exercise would be confusing in the extreme. It would have us on a dual track, for one thing, but it would put the public very much at odds.

We could go about it in a general way, indicating that the various groups of this committee should come forward and begin to state their positions with respect to various amendments that might be entertained with respect to the bill. That would put us in precisely the same position the whole Legislature was in when it moved on the question of funding in advance of a constitutional decision. That is something about which

we have had immense criticism from the public and from various groups that have come before this committee. For us to go through that process once more of getting out there with a staked-out position that might itself be contrary to the constitutionality question seems to be a rather silly position for us to put ourselves in.

I find it impossible, therefore, to support the amendment. It would not appease anybody. Mr. Davis used those words, "to appease." You are not going to appease somebody with unclarity or with the possibility that you are going to have to change your position when a court ruling comes down. You are going to escalate the possibility of further arousal, concern and anxiety in the public mind.

The public does need to know where we are going, but the simple fact of the matter is that it cannot know where we are going and we cannot know precisely where we want to go with this bill until we have the ruling on constitutionality. The only sensible position this committee can take is the one Mr. Reyecraft has put before us and not the amended version.

Mr. Jackson: At the outset, I would like to compliment the member for Middlesex (Mr. Reyecraft) for learning his understudy role so well.

I am a little concerned that the minister has again deferred any significant decisions being made on this issue by legislators in Ontario. What is making me increasingly angry as a legislator is that every time this committee meets to deal with this issue to try to get it back into the House as a bill we are thwarted.

The Commission for Planning and Implementation Change in the Governance and Administration of Secondary Education in Ontario—we are led to believe under the minister's direction—is setting the capital funding policy under the second-year guidelines. As I said in the House yesterday, the Minister of Revenue (Mr. Nixon) is making those decisions for us on capital funds. The Attorney General (Mr. Scott) is advising us when to proceed and when not to proceed with this bill. The planning and implementation commission is setting long-range policy.

The most significant argument is that if the work of this committee for the past four months is to be at all meaningful, it should immediately begin clause-by-clause to get a bill in some form before the House. If Mr. Reyecraft uses a position conveyed by the minister, that he does not want to be viewed as being in contempt as his main reason, why did we have meetings in the first place when he knew there was a referral? Now

there is a growing concern within the Ministry of the Attorney General that the court case is going to come to a different conclusion than the one all parties considered was going to occur last July when it was tabled.

There is too much uncertainty in the province. We have heard enough public input. We as legislators could draft a bill that would accommodate the concerns and inequities in the bill in its present form. The sooner we do that and publicly elected officials participate in that process, the sooner we will be able to set aside some of the strong divisions and antagonisms that are emerging on this issue.

I urge Mr. Reyecraft to part company with his minister and support the amendment.

Mr. Bernier: I would like to add my support to Mr. Davis's amendment and express my concern. In my opinion, the minister should appear before this committee to explain in detail why he is so adamant that we postpone any discussion or clause-by-clause examination of the bill at this time. I find it unacceptable that he should send his parliamentary assistant and even the caucus of the Liberal Party to bring this forward.

This is one of the most important pieces of legislation ever to come before this Legislature. It is incumbent upon the minister to appear here to present his case and not hide behind his caucus committee members. Having said that, I do not think we are likely to see the minister appear to argue his case.

I want to lend my support to Mr. Davis's amendment. I think what he has said is correct. There is anxiety, concern and confusion out there. If we were to stop at this time we would add to that confusion. You people sitting over there brought in a bill to the Legislature. After you brought in the bill you sent it to the courts. We as legislators have a responsibility to move forward on that piece of legislation. That is our job. That is what we are sent here for.

How many groups did we hear from that said: "Come on, have a backbone. Move forward. Do your thing. What are you doing? Let us get on with it"? We want to get on with it. We are here. We are prepared to move amendments. You are very much aware that there is agreement in principle to the bill itself, as we saw in the Legislature on second reading. I see no reason to delay any further examination of the bill on a clause-by-clause basis. It is time to move on it and we should be moving ahead. It is in the interest of the public at large right across this province.

Mr. Henderson: If I recall correctly—I will not have the words quite right—the question put to the court had something of the flavour of, “Is this constitutional or not and in what respects?” In other words, the court may not come back with a yes or no. It may come back with some points dealing with particular areas of the bill that will need to be worked over or revised. In the light of that, it only makes sense to hear what the court has to say and then do the clause-by-clause, otherwise there is every possibility we could end up doing it twice.

I cannot agree with Mr. Bernier’s comments. It is true we brought in a bill and referred it to the court. Having done that, we surely must hear what the court has to say. It may not be in contempt in some formal sense, but it surely rather teases the court to send it there and then proceed as though we had not done so. Therefore, I support Mr. Reycraft’s comments.

10:40 a.m.

Mr. Davis: First, my learned colleagues have stated most forthrightly from the beginning of this debate, from historical perspective, that this bill is most certainly constitutional, that it is fair and that it is just to the Catholic community. Am I now to believe we are saying perhaps it is not constitutional?

The bill was brought in and the committee was established and given a particular task. If there was any concern then that this bill was not constitutional it seems to me we have been playing very loose with the people of Ontario by asking them to come and make presentations to us. They were certainly under the impression that after we had heard everybody with unfettered hearings where anybody could come to us we would move to clause-by-clause.

If we follow Mr. Reycraft’s suggestion with the amendment before us what we are doing in effect is deep-freezing the bill.

I think there is enough concern on the part of the public that it would like to know where we are going. If we want to examine what happened on June 12, 1984, and if we want to examine the concern that has been out there, it has been that we did not follow procedures correctly.

I know my learned colleague behind me is going to say the correct procedure is to wait for the court’s ruling because it in effect may have some decision which affects the amendments we are going to make. Conversely, though, the direction of this committee as we begin to debate it, although I doubt it will happen either way, may in effect give the courts an understanding of where we have been going.

We have been doing that. Members of this committee have constantly said, “The bill is going to be amended in such and such an area.” I believe I can quote the chairman of this committee, who said, “The present bill that is before the courts will not be the bill that goes to the Legislature.”

It seems to me that we owe it to the public and to the students of Ontario to begin the clause-by-clause debate as soon as possible. I would go further and say that if the minister is so concerned that we do not go to clause-by-clause perhaps he can come here and simply tell us why he does not want that.

Mr. Chairman: The door is open. Almost anyone can still walk in.

Mr. Jackson: We can only get straight answers from the Minister of Revenue and the Attorney General; that is what bothers me.

Mr. Chairman: Are there any other speakers on the amendment?

Mr. Reycraft: I just want to say, in reaction to some of the positions that have been put forward, that we still feel the Court of Appeal will give a very positive verdict with respect to the constitutionality of Bill 30. There is no indecision on that issue.

However, to address the concerns that have been expressed to this committee by a great number of groups and interested parties across the province, the bill was referred to the court for a ruling on its constitutionality. To proceed to alter that bill while it is still before the court and before it has rendered its decision seems most inappropriate. It indicates a degree of contempt for the position of that court and the value of the decision it is going to give.

The other comment was that since we brought in a bill and have had all these meetings so far why not continue on to clause-by-clause? Yes, we brought in a bill. Very quickly after we formed the government in this province the minister brought forward a bill that was, quite frankly, long overdue. We have proceeded to provide the public with an opportunity to express their views on the issue as well as on the bill itself, another opportunity that, in our opinion, was long overdue.

However, with the referral in place, we do not think we should go on to alter that bill before the court has made its decision; we are not prepared to support the amendment.

Mr. Jackson: As I understand it, we have had the court reference and a court decision this week on the issue of the funding; that has gone to the

Divisional Court and we expect that decision some time before Christmas. Not being a lawyer, I would appreciate your assistance in this area.

Having agreed that your government is putting off any firm decisions until it hears from the Court of Appeal, are you then prepared to be consistent when the constitutional question comes down? Are you going to wait and hold up the clause-by-clause activities of this committee and of the House while waiting for a ruling on the appeal to the constitutional decision? Is that going to be your position?

Mr. Chairman: The motion as amended now has changed, as amended by Mr. Reycraft. I should have ruled at that time that members moving their own motion can amend it any way they want as they present it, that is totally in order. The motion as we now come to it, after discussion of Mr. Davis's motion, would be until the Court of Appeal has ruled. It is not the courts in general now; so we can discuss that as we get to that item.

Mr. Jackson: In fairness, Mr. Reycraft's whole position in speaking against the amendment is based on the fact that we will start the clause-by-clause some time in January or February. Is that when we anticipate the court decision?

Mr. Chairman: Yes.

Mr. Jackson: On the constitutional question, depending on which way it goes, it is going to be appealed again. Are you going to take a position to delay the clause-by-clause until after that Court of Appeal hearing has been received? You are delaying it now. Are you going to delay it again?

Mr. Reycraft: Mr. Jackson is presenting us with a hypothetical situation. I do not think it can be completely and fully answered until the court's decision is seen. If the court's decision is as we expect we will be prepared to proceed immediately to clause-by-clause debate on the bill. If the court's decision is other than we expect, and I have no reason to think it will be, then the decision on how to proceed further is going to have to be made at that time on the basis of the decision.

Mr. Davis: I was trying to find out about the Divisional Court. I believe the Divisional Court judge said the matter before him was important enough that he wanted three judges to rule. He was talking, if I am correct, about somewhere in February or March before that hearing would occur, although the Attorney General seems to believe he can speed up the court process.

It seems to me the indication of the judges was that, after the constitutional hearing before the Court of Appeal, it could be up to five or six months before they made a ruling because of the complexity. Mr. Reycraft has indicated today that it might be as early as January. One can only assume they have information we do not have.

In effect, if it does take six months and we do not get a decision from the Court of Appeal until March, April, May or June, I believe the whole issue will get much cloudier than it is now. All of a sudden after that ruling, whatever the ruling is and whatever the government decides to do at the point, we will then have to go to the clause-by-clause.

At this point we have a clarity of thought. We have heard more than 800 briefs. We have all read them and we are now ready to move. My party's position is that we should move now to the clause-by-clause, so at least we alleviate some of the concerns that have been expressed because we know that is the direction we are going in. If the court happens to overrule us, it overrules us. If amendments come down from the court and there are only one or two changes, then in one respect we have saved the clause-by-clause hearings starting six months later. To me it seems appropriate, correct, fair and just to do it now.

10:50 a.m.

Mr. Reville: I am delighted Mr. Davis has found his voice, but I think he has lost his way. He speaks of clarity, but he has the judicial stream hopelessly confused in his mind. That concerns me because he is a person of normally acute clarity. He has Mr. Justice Potts confused with the flowing of the dough and the constitutional question.

Mr. Reycraft has been speaking to the constitutional question. The Divisional Court will decide whether it is okay for the money to flow, but the Court of Appeal will decide whether the bill is constitutional. I am not sure whether the two questions are the same or if they should be confused with each other.

It might be interesting to point out, although it is so obvious—mind you, politicians tend to do that quite frequently—that the parties most concerned with this legislation have had their gimlet eyes fastened on the business of this committee and probably know much more about what we have been doing than we do. I am sure there is no confusion in their minds about the direction this committee is likely to take in the end and what has been going on here.

I would like to point out those two things and then subside into confusion once again.

Mr. Davis: I am quite aware of the two divisions of the courts. What I was attempting to say, which may not have been clear, is that one cannot dictate to the courts when they will render a decision. No matter what the Attorney General thinks he can do, I am correct in saying in the French-language governance bill it was made abundantly clear that we cannot ask courts to deal expeditiously with orders. They will deal with them in their time frame within their understanding. If Mr. Reycraft has information that we do not have we would like to know that information.

Mr. Chairman: I do not imagine the Court of Appeal is giving out information as to when it is going to come up with its decision.

Mr. Bernier: I find it hard to accept Mr. Reycraft's argument. On one hand he says he is pretty near adamant that the courts will rule this is constitutional. He has said that very clearly—

Mr. Reycraft: We are most optimistic.

Mr. Bernier: You are most optimistic, yes. With that in mind, why are you putting this bill in limbo? If you feel so strongly that the courts will rule that way—we on this side feel that will happen; we have felt that from day one—why do you put it on the shelf and put the province in a state of confusion and limbo? The Roman Catholic school systems are anxiously waiting for us to move on this. The public at large is waiting for us to move. I find it hard to accept your arguments.

Mr. Henderson: Our colleagues miss the issue. There is every opportunity for us to have the opinion that the bill is perfectly constitutional. We have that opinion. However, the reason we referred it to the courts is that it is for the courts to decide. To avoid the appearance of contemptuous behaviour we have to let them come to their opinion and render it, and then we will reassess our options in the light of what they have to say.

Since my colleague has invoked our promises of open and responsive government, it seems well in order to also emphasize that we plan orderly and sensible sound government—

Mr. Jackson: Nonaccountable; do not forget nonaccountable.

Mr. Henderson: We have to proceed in a proper way. That is what my colleagues are arguing for.

Mr. Allen: Just as an observation, the issue is not, from the point of view of the committee and the way in which we have been approaching the

bill, whether it is constitutional at one level. The question that is more critical for our amendment of the bill is in what sense is it constitutional? Is it constitutional in a permissive sense—that the government may, if it wishes, on its own will and under its own powers, move to extend funding—or is it obligatory?

That makes a great deal of difference in the way in which you view the extension and the various elements that go into it with regard to hiring, access, exemption from religious studies and all sorts of issues. It is foolish for us to try to resolve those matters before we get the court's mind on the bill.

Mr. Chairman: We have had about 16 speakers. Not to be unkind, in the past four or five comments I have not noticed anything particularly new but reiterations of the same positions. Unless I hear to the contrary, we will move on at this point.

What we have just left is the motion to amend by Mr. Davis, "That clause-by-clause examination of the bill commence immediately." We now move to the proposal itself as amended by Mr. Reycraft at the outset. It should now read, "That clause-by-clause examination of the bill be postponed until the Court of Appeal has ruled on the issues that have been referred."

We have been discussing this as we have been dealing with the other matter. If people want to discuss specifically the amended version with "the Court of Appeal" rather than "the courts" in general, further discussion on it might be appropriate. Otherwise, I think we have discussed it fully in the context of the contrary motion by Mr. Davis.

Did you want to say anything, Mr. Reycraft, about why you changed it to "the Court of Appeal" from "the courts"?

Mr. Reycraft: It was my intent originally that the clause-by-clause should proceed after the Court of Appeal had rendered its decision rather than to use the general phrasing that is used in resolutions. It does not represent a change in position, just a clarification.

Mr. Bernier: That position is the position of your minister too. You said "I." Does that mean the minister is directing you to do this?

Mr. Reycraft: I know the minister is aware of the motion that is before this committee. He has not indicated to me any dissatisfaction with it; so to that extent I suggest it probably is his position as well.

Mr. Davis: It would be nice to know whether it was the minister's position.

Mr. Chairman: The door is still open.

Mr. Davis: I do not think he can find it.

I would like to point out that the amendment before us is to wait until the Court of Appeal has ruled, but our colleagues over there in the government have said that at that time it might be delayed further, depending on that court's action. What they have done is to leave the door open to continue to postpone the hearings on clause-by-clause, possibly until a verdict has been reached by the Supreme Court of Canada because we know that is ultimately where this is going to go.

In the context of the area we are in today, I will reiterate that I think we should move to clause-by-clause, and that will be our final say.

Mr. Allen: I hope not only Mr. Reyecraft but also the minister is giving us this wording with real deliberation and that we can rely on it quite precisely, notwithstanding his earlier slight equivocation. It seems to me that in the first instance when the Premier (Mr. Peterson) referred to the reference to the courts and the process through which he saw the bill proceeding, it was that third reading would come after the Court of Appeal had made its decision on the bill and had communicated it to the House.

It is an untenable position for us as legislators to wait—who knows?—another one, two, three years for the Supreme Court of Canada to get around to a ruling. The issue and its resolution in some sense in the province cannot wait that long in view of what has been set afoot. Once the Court of Appeal has made its decision, it is important for us to take it as a substantive judgement on the issue at hand and for us then to move as legislators to resolve our position as quickly as we can. Then the province gets on with the business of doing what has to be done in terms of what the Legislature believes to be the best course of action.

11 a.m.

At some point in the future the Supreme Court will render a judgement. The Supreme Court has rendered those kinds of judgements on all kinds of things that legislators and the Parliament of this country have passed and acted on. That has happened on numerous occasions in this country's history; there is nothing unprecedented about it. But I do not think the matter can be left hanging and unresolved for yet another appeal, given in particular the length of time that Supreme Court of Canada decisions often take.

I hope the amendment that has been made by Mr. Reyecraft is the one we will be living by and

certainly the one we will be holding him and the government to.

Mr. Bernier: Mr. Reyecraft, I would like to ask you how you rationalize your position. You brought in a piece of legislation which got approval in principle. You were adamant that the funding to the separate school system should be in place by September 1. You did that. You announced there would be \$34 million flowing to the separate school system. Everything is in place. All that is moving forward.

Now, when we want to move forward with the bill, you want to stop it, you want to put it in limbo. It may be six months, eight months, maybe a year, before we deal with this bill. I cannot understand how you are so strong in a certain period of time and all of a sudden shift gears.

Mr. Chairman: Mr. Jackson; I think Mr. Reyecraft will come on and respond but you are next on the list.

Mr. Jackson: I will waive and encourage him to respond.

Mr. Chairman: I do not know if that is going to work or not. Mr. Reyecraft, do you wish to respond?

Mr. Reyecraft: I do not think I can add any information to this debate that answers in any better way the question that Mr. Bernier is asking. Yes, we did bring in the bill. Yes, we did extend the funding to the separate school boards on an interim basis so the thousands of students and hundreds of teachers who had made educational and career decisions based on the expectation that the funding would be available to grade 11 in the separate school system in September 1985 could proceed on the basis of those plans and expectations.

I must repeat that we have a great deal of respect for the rule of the Ontario Court of Appeal in the whole process of this province. It seems to me that to do other than what we suggested with this motion, to do as Mr. Bernier, Mr. Davis and Mr. Jackson have suggested, to proceed to clause-by-clause and perhaps even to action while we still have not received the decision of that court, is to indicate, in a very blatant way, a disregard for the decision of that court.

I must say too that I fully expect that decision will come forward well before the six months, nine months or a year that Mr. Bernier has suggested. It is still our expectation, as has been indicated to us by the Attorney General, that the decision will be available in January or February.

Mr. Jackson: No one in this room has any illusion that clause-by-clause is a process that is going to take two or three weeks. It is going to take an extensive amount of time to do the bill justice, especially if we are going to manifest in the final bill the many concerns that were given to us.

Mr. Chairman: Especially with our customary debate.

Mr. Jackson: Mr. Chairman, might I offer a solution? Given that the minister has seen fit to attend all the public showings of this committee but has not seen fit to be here at a critical juncture on a very critical issue, I have a motion.

Mr. Chairman: The motion on the table is nondebatable, as I recall, so we basically take the vote on it. All members are present, so it is something we can do at this time.

Mr. Jackson moves that the amended motion be tabled until such time as the minister can attend and clarify the points raised in this debate. All those in favour?

Motion negatived.

Mr. Chairman: Is there further debate on this clause at this point? It seems to me we have run the arguments fairly fully.

The next section would be that an interim report be presented to the House, informing the House of the current status of the bill. Might I suggest to the committee that rather than having a debate on this, which is a normal thing for us to do, there has to be a motion to that effect and it will be determined by how we vote on the other matters.

For instance, if Mr. Davis's amendment to the last clause is successful we obviously will not be reporting anything to the House, we will just be continuing clause-by-clause at that time. Therefore, rather than having a debate on a specific item, unless there is something in the wording of it that concerns members, I suggest we just come to the votes that are involved, and the stacking, and it would be the last vote we take.

Mr. Davis: Could we make an amendment at that time, depending on what happens?

Mr. Chairman: Yes.

Mr. Davis: That would be fine.

Mr. Chairman: I went over some procedures before, but there are always nuances to parliamentary procedure. There is usually no recorded vote in committees unless it is requested in advance; so when we come to the votes in these matters, if you wish it to be recorded I need a request from an individual member.

Mr. Davis: We will request it now, before we vote on all of them.

Mr. Chairman: Thank you.

We have everybody here at the moment, so this does not apply, but if at any time a vote comes up and you wish to delay it until all members are present, under section 89(c) of the standing orders you make that request of the chair and you have up to 20 minutes to get your members in for the vote. However, since you are all here and very present at the moment, I do not think we need to have that kind of delay.

Let us go back to Mr. Reycraft's motion and the amendment to the first clause proposed by Mr. Jackson. The first clause, with the amendment by Mr. Jackson, would now read:

"That public hearings on Bill 30, an Act to amend the Education Act, be held in abeyance."

The committee divided on Mr. Jackson's amendment to the first clause of Mr. Reycraft's motion, which was negatived on the following vote:

Ayes

Bernier, Davis, Guindon, Jackson.

Nays

Allen, Henderson, Miller, G. I., Offer, Reville, Reycraft.

Ayes 4; nays 6.

Mr. Chairman: The motion to amend is defeated.

We will now vote on the first clause of the motion itself as presented by Mr. Reycraft, which reads:

"That public hearings on Bill 30, an Act to amend the Education Act, be concluded at this time."

The committee divided on the first clause of Mr. Reycraft's motion, which was agreed to on the following vote:

Ayes

Allen, Henderson, Miller, G. I., Offer, Reville, Reycraft.

Nays

Bernier, Davis, Guindon, Jackson.

Ayes 6; nays 4.

Mr. Chairman: That motion is carried.

We will now deal with the second clause. As amended by Mr. Jackson it would read:

"That any further witnesses wishing to speak on the bill be at the agreement or consideration of the committee."

The committee divided on Mr. Jackson's amendment to the second clause of Mr. Reyecraft's motion, which was negatived on the following vote:

Ayes

Bernier, Davis, Guindon, Jackson.

Nays

Allen, Henderson, Miller, G. I., Offer, Reville, Reyecraft.

Ayes 4; nays 6.

Mr. Chairman: That motion is defeated.

We will now deal with the second clause of the motion itself, which reads:

"That any further witnesses speaking on the bill be at the invitation of the committee."

Motion agreed to.

Mr. Chairman: We now move to the third clause as amended by Mr. Davis to read:

"That clause by clause examination of the bill commence immediately."

The committee divided on Mr. Davis's amendment to the third clause of Mr. Reyecraft's motion, which was negatived on the following vote:

Ayes

Bernier, Davis, Guindon, Jackson.

Nays

Allen, Henderson, Miller, G. I., Offer, Reville, Reyecraft.

Ayes 4; nays 6.

Mr. Chairman: That motion is defeated.

We now deal with the third clause as amended by Mr. Reyecraft as he introduced it:

"That clause by clause examination of the bill be postponed until the Court of Appeal has ruled on the issues that have been referred."

The committee divided on the third clause of Mr. Reyecraft's motion, which was agreed to on the following vote:

Ayes

Allen, Henderson, Miller, G. I., Offer, Reville, Reyecraft.

Nays

Bernier, Davis, Guindon, Jackson.

Ayes 6; nays 4.

Mr. Chairman: That motion is carried.

On the motion that an interim report be presented to the House informing it of the current

status of the bill, Mr. Davis indicated he might have something to say.

11:10 a.m.

Mr. Davis: I need some information. How would you place in that something to indicate there was opposition to the clause-by-clause being postponed until the court made a decision? Do we put in a minority report, or would you just make that in your statement, Mr. Chairman?

Mr. Chairman: Mr. Davis, the only way it gets recorded is because you have had a recorded vote and it is now on the public record as a result. I am limited with respect to an actual bill such as this as to what I can report. That is why Mr. Allen's motions, which are coming up next, cannot be within that report, as we indicated before. I am not in a position of being able to make a statement about minority positions; rather, the recorded vote you have is your means of indicating that.

Mr. Davis: Fine. Thank you.

Mr. Jackson: If we want the Legislature to fully understand what we have done this morning why do we not just give them the whole Hansard transcript?

Mr. Chairman: It would be a generous thing. If you would like to copy it out for them, Mr. Jackson, please go ahead and do so.

Is there any discussion on this final clause, which is just the report that I would make, probably tomorrow, to the House? If not, all those in favour of the final clause, please indicate.

Agreed to.

Mr. Chairman: As you know, other matters that were not exactly within Bill 30 were raised before this committee at various times but we felt they could have a major impact on how it was implemented. As a result, Mr. Allen brought forward earlier a procedural motion requesting debate, etc. Can you perhaps clarify for us, Mr. Allen? I have two motions before me at the moment. Could you indicate what it is we are dealing with at this point?

Mr. Allen: Members will recall that at a very early sitting of this committee considering Bill 30, I proposed that a number of items would likely come before us—

Mr. Jackson: On a point of order, Mr. Chairman: Which motion is before us? I have two in front of me.

Mr. Davis: I have three.

Mr. Allen: I will be clarifying that for you.

Mr. Jackson: Is it not in order?

Mr. Chairman: Mr. Allen, if you would read the motions at this point and then speak to them, that would be the proper procedure.

Mr. Allen: Mr. Chairman, I am willing to do that. I assumed, since it had been moved earlier in committee, that members were familiar with it. It is on the last page of the package that has been put before you and we have been considering. I will have one brief addition, a point 3. It reads as follows:

"That in view of the importance of certain related educational reforms in facilitating implementation of full funding of separate schools, and in view of the desirability of considering Bill 30 in the context of these reforms, the committee considers its responsibility to discuss such matters as:

"1. The necessity of restoring provincial funding of elementary and secondary schools within both publicly supported school systems to an acceptable level from the current 47 per cent level;

"2. The reform of the superannuation system for teachers and other board employees and related measures to facilitate early retirement of persons affected by the shift in enrolment; and

"3. The place of an expansion of academic religious studies in the secondary public school curriculum."

The third item we have discussed from time to time, and it has been discussed in the steering committee.

Mr. Chairman: So the motion reads, "Be it resolved that this committee request a full briefing from the ministry on its recent consideration of the subject, with a view to formulating a recommendation to the minister in this respect." And you are amending your initial two points to add the third point.

Mr. Allen: That is correct. I believe that at this point the procedure in the first instance is for the committee to discuss whether we should proceed in this fashion, and then to come to more precisely framed motions around each of the three items in question. Is that correct, Mr. Chairman?

Mr. Chairman: First, I will rule this in order in the sense that I cannot make it as part of the report, but I accept that these things are all very much tied into Bill 30 considerations and there has been a desire by several members that at least we have a discussion of what we would do with this.

I will proceed on the basis that this is a procedural motion, which is basically asking that there be further debate on these matters. We will have a discussion of that to begin with. If the committee is in favour of having further debate, then we can place substantive motions around those matters. If it does not wish to proceed with any of these matters, then we will not be able to take substantive motions on those matters.

Mr. Davis: On a point of order, Mr. Chairman: I understand the intent of these issues, but I would like to point out the consequence of their purview at this time within the consideration of Bill 30. It seems to me it becomes inconsistent for this committee to begin debating issues that in some way have an effect on or rise out of Bill 30 when we have just stated that we are not going to debate clause-by-clause. It is inconsistent to do that. I would like to know—

Mr. Chairman: You can argue that position in a debating fashion, but I do not see anything with respect to this being in order that runs contrary to the motion we have just passed, which indicates we will not have any public hearings except at the invitation of the committee and we will not proceed with clause-by-clause. There is nothing in that motion saying that we will not deal with other matters around Bill 30.

Mr. Davis: Mr. Allen's second motion has a direct consequence in respect of Bill 30, specifically in respect of teachers' movements. I am asking for points of clarification because in those areas—

Mr. Chairman: That is a matter of debate for you to have, but as far as it being in order is concerned, we have not precluded that by anything specific in the motion we just passed. I am ruling it in order.

With respect to the debate, you can argue that we should not be dealing with these things because of what you just said, but my ruling would be that this is in order to debate and you can decide what you want to do with it. It is up to you whether you wish to consider these matters further because of the position you have just made or whether you feel it is important, as I am sure Mr. Allen is about to tell us why he thinks it is.

If you would like to start off, Mr. Allen, and take all of these matters at once because it is a procedural matter, then, if we wish a division of it, you may suggest that to me later. At this point we will deal with it as a whole.

Mr. Allen: I am sensitive to the point that the Conservative Education critic has just made. It

certainly deserves an answer along with some general defence of this course of action.

The first significant thing about this committee that has to be stated at the outset is that it has probably heard more testimony on the general state of education in Ontario from specifically interested groups in the profession and from the public than any other committee or commission in the history of this province.

Second, in view of the fact that the extension of funding to complete the separate school system raises virtually every other educational issue in the field, and properly so, this committee has, not surprisingly, heard evidence and testimony on just about every single phase and aspect of education in Ontario.

It has been quite clear as we have gone through the exercise that the extension of funding impacts in wide-ranging and subtle ways upon all other deliveries of education in the province. One cannot simply isolate the extension of separate school funding from all those issues that affect the public system in particular.

11:20 a.m.

Given that experience and given the range of the presentations before this committee, it seems to me this committee ought at least to take some time to reflect on how it might convey what it has come to conclude are the major outstanding issues around Bill 30; not those that are central to it and can be delivered within it, but those that hang around Bill 30 and must be dealt with in some other fashion by the ministry if it is to see this undertaking concluded with the greatest degree of dispatch and public acceptance.

Therefore, while I do not intend or suggest that the three items I am proposing are necessarily exclusive, they strike me as being three items that have arisen out of the hearings and cannot be substantially addressed within the framework of Bill 30 but should be considered by us and some representation made by us to the minister.

Personally, I have been very much struck and persuaded by the arguments from all sectors of the educational community, in both the separate and public systems, that they labour under an increasingly heavy burden in the whole field of educational finance, particularly with regard to the recourse of boards to the local property tax base and the increasing proportion of education costs that the local communities have to bear over against the province. In numerous instances they have highlighted their problems concerning educational delivery and the impact that separate school funding would have on them. They have come back time and time again to that issue.

Without belabouring the point, all of us are aware how far the share of provincial funding has declined in the course of the past decade. I do not want to detail that now, but I certainly will later on with a more substantive motion when we get to that point in our proceedings. Not all members of this committee may be aware of the extent to which that has been in the case, some being new members and others not having been engaged with educational issues in the House. None the less, I think it has been evident to us in these hearings that this has been a widespread conviction. I think it is one we should respond to and advise the minister on.

The second issue relates to perhaps the most sensitive single issue in the whole discussion of the impact of Bill 30. That is the question of teachers' security, particularly in the public system, and the accomplishment of the transfer of teaching personnel from one system to the other with the greatest sensitivity possible to the needs of the public system and public secondary school teachers.

Again, it has been a matter of testimony from a number of quarters that some significant movement at the level of early retirement and some of the related questions to that on a time-definite basis to accommodate this period of transition would have a great impact on the ease with which this whole exercise is undertaken. I simply believe that since this cannot be addressed through Bill 30—it would have to be addressed through amendments to the Teachers' Superannuation Act and by certain measures undertaken either by local boards or by the ministry directly—it behooves us to have some further consideration of that question.

In that respect we do not need only a short, unsupported debate in our own committee; we also need at least some representation by specialists in the field familiar with the costs, the arrangements and so on. We need some testimony as to the degree of retirement expected in the system over the next 10 years so we can make a recommendation to the minister in that regard.

The third area that struck me, and I do not know whether it has struck others the same way because we respond to these hearings in personal ways, is one of the major concerns of a very significant community in Ontario with respect to the extension of separate school funding.

Among those who are opposed to it, but not only among them, is a concern about the extent to which the public school system, and the public secondary system in particular, has not responded in as full and complete a fashion as it might to

the new religious pluralism of Ontario society. Somehow, we have gone through a period in which what was a Protestant school system has basically become a secular school system. In the course of that, an obviously inadequate confessional approach to religious studies has more and more been put to one side.

We have seen in the universities how publicly funded, secular religious studies have developed without any problem. It has seemed to many people that a more adequate response in the public school system to the religious dimension of Ontario society in a new multicultural age could be addressed in an analogous way in the context of the public secondary school.

We have heard directors of education tell us how long they have pressed the ministry to do this. We have heard representatives from some of the teachers' federations make similar points. We have heard individual parents express their concern that Catholic children in the community will have the benefit of a religious education in the context of a public system that their children will not have.

We have heard from francophones who are concerned that there be religious education in the schools when they transfer en bloc to the Catholic system; but if, as may well happen, they join other homogeneous French boards in some areas or if they remain separate entities under the public system, they want to have a program of religious studies of a more ambitious nature offered to them.

Catholics in regions where they will not likely be able to mount a secondary school system have also told us of their concern that a program of religious studies of a more extended variety should be part and parcel of a public secondary school offering in their regions so their young people could avail themselves of that.

There has been this concern from several sectors. It is worth looking at that question a little more concretely. In this respect, I will be moving later that we request the ministry to come before us and give us a full reporting on its recent considerations of this subject. It has had a working group in that area which hopes to bring in a report of some proportions in the near future. At that time, we can consider whether we want to make any further response on this question.

It is a matter that lies substantially outside Bill 30, but it is one of those major issues we should be addressing as a committee, having heard the kinds of testimony we have heard.

I am open to additions to this list. I have no sense that it is necessarily an exclusive list. I welcome others to add to it.

Mr. Chairman: Do we have another response from the Liberal Party and then from the Conservative Party before we get into all members having a shot at this?

I will need some other clarification of the wording on the third portion, because what I have before me is the "whereas" and the "resolved." It seems to be the specific request you are going to be making later, is it?

Mr. Allen: Yes. Our positional motion that you have on religious studies is the third of a series of motions I will be putting that relate to each of these sectors. The wording of the third motion is very general, stating such matters as the present condition and possible future expansion of religious studies in the secondary public school curriculum.

Mr. Chairman: If you could write that for me and give it to me so I could read it out that would be fine. Most members know in general what we are talking about. We are starting off here with a general procedural motion. If you can get that to me in another minute or so I will read it back to members so they can get it sorted.

11:30 a.m.

Mr. Reycraft: Mr. Allen has correctly identified three issues about which we heard a great deal over the past several months. I also agree with him that none of these three issues can properly be addressed directly within Bill 30. All three areas have been the subject of some review by the ministry for some time.

I might also point out, as everyone is aware but just as a reminder, that there is a commission under way to study the matter of funding; so that issue is receiving more attention, perhaps, at present than the other two.

Generally, we have no disagreement with the discussion of these issues. I might be interested in hearing later from Mr. Allen what kind of time frame he might propose be applied to those discussions.

Mr. Jackson: I will waive in favour of Mr. Allen to obtain his answer to that question, Mr. Chairman.

Mr. Chairman: Mr. Allen is finally doing the wording of the motion. Do you have any preliminary remarks before we get on to timing? Mr. Allen, I am sorry to interrupt you, but the request is essentially to have an idea of time. In principle, there is no problem, as the Liberals mentioned, about the committee looking at these things, but how do you see that happening? When did you see us doing that sort of thing?

Mr. Davis: We would like to hear that too.

Mr. Chairman: If you could indicate that first I think it would help the members' responses.

Mr. Allen: I was going to phrase that in the following fashion: "That the committee communicate to the minister its own sense of urgent concern that the province move back to a 60 per cent share of education costs in Ontario, beginning with a significant move in that direction in the forthcoming budget"—to move back to the 60-40 funding over a period of five years, if I am not mistaken.

Mr. Chairman: The question I am raising is not so much that, although obviously there are implications in saying "the forthcoming budget." We had set aside this day because the steering committee understood you would have these motions before us. It may take us the full day to decide where we are going with all this and what we can do today. We even let the superannuation specialists know we may be calling on them at some point if they are at hand.

What the members are asking for is an idea, either as a whole but probably more easily in parts, of how you see this going. Do you see us debating today item 1 as a full debate, having a superannuation discussion, or do you see having information given to us today and debating it at a later date? How much time do you want to give the minister for briefing us on ecumenical studies? The members would like to know how you see it being ordered.

Mr. Allen: With a little luck, it should be possible for us to discuss and dispatch the first question today, but on the early retirement question we would want to have a full morning or afternoon session, perhaps even a whole day, with expert testimony, specialist testimony from various quarters—the ministry, the teachers' federations, the superannuation commission and perhaps an independent specialist to determine insurance matters, just to have an outside view.

With respect to the third item—

Mr. Chairman: What sort of time frame would you give?

Mr. Allen: If we can dispatch the first item today there is no reason we should not move, let us say, after proceedings on Monday to the superannuation matter. After that we would want to have a more specialized session, a time to discuss the issues arising and to come to some conclusion, which might take us to Tuesday after hours. Then, on Wednesday, we could come to the question of some report from the ministry about where they are on religious studies.

Mr. Chairman: The general notion being suggested is that we are starting talking today, and the next week of our time will be used for this matter. We have to discuss it. I might raise some matters myself in terms of ordering things in the committee. However, just as a parameter, can we go back to Mr. Reyecraft to see if that has been clearly established, and then move to a discussion of whether or not we will debate these matters.

Mr. Reyecraft: I want to raise a point of order, Mr. Chairman. I need some assistance. Would the outcome of these discussions become recommendations to the minister or recommendations to the Legislature? What status would they have?

Mr. Allen: As I understand it, we have no mandate from the Legislature to report these items to them. We have only a mandate to deal with the bill and report directly on the bill. My understanding is that these would be communications directed from the committee to the minister as reflections and proposals arising out of our experience in this committee and the hearings we have had.

Mr. Chairman: Earlier on, Mr. Reyecraft, I ruled that I would find this kind of motion in order because even though it was outside the bill it is connected with the bill. However, the only action that would be possible to come forward would be some kind of correspondence from me, representing the committee, and whatever motions this committee passed. These would be sent on to the minister. That is the largest single impact we can have from this kind of discussion. We do not have authority to report it back to the House.

Mr. Reyecraft: Thank you.

Mr. Jackson: As a new member I am somewhat amazed. I have to question the sincerity of Mr. Allen and his caucus on the previous sets of motions that were before them when there was series of legal arguments as to why he supported the motions not to go into the clause-by-clause. Now I see we have an entirely different agenda, and the important issue, Bill 30, is clearly going to take a back seat to what I admit are some rather important issues in this province.

Their caucus having come to that conclusion now about their intention in their approach to this very important issue, I would specifically like to request a 20-minute recess for the Conservative caucus to caucus. Given that would take us to 12 noon, I appeal to you to call this meeting to

resume at 2 p.m. We can come back four minutes before the hour.

Mr. Chairman: I have no particular problem with that, except it would be nice to know before this afternoon what we were intending to do with some of the superannuation people who have come so they do not have to sit here through the afternoon and find out we will not be wanting them to come before us.

Mr. Jackson: I might be in a position to advise you once you make your ruling on my request for a 20-minute recess.

Mr. Allen: Is this debatable?

Mr. Jackson: A request for a caucus?

Mr. Chairman: It is essentially a motion to adjourn rather than a recess, and I do not think it is debatable.

Mr. Jackson: I simply want to respond to the question. If Mr. Davis, Mr. Jackson and the rest of the Conservative group are going to their caucus to discuss this, I think it would be worth hearing at least a response to their contention that this somehow or other is contradictory to the earlier decision, which was not to go into clause-by-clause.

Mr. Jackson: We are not questioning that.

Mr. Chairman: That would be debate.

Mr. Allen: My sincerity, I think, was put in question around that point.

Mr. Jackson: Not on this issue. On the previous sets of motions I questioned your sincerity; that is correct. You got that right.

Mr. Chairman: I am gathering that the issue is not so much one of what your opinion is of the New Democratic Party's position on this but your wanting to come to a position yourselves.

Mr. Jackson: It is of sufficient concern, Mr. Chairman, that we would like to caucus.

Mr. Chairman: I think that is acceptable to me. The motion is to adjourn, if I can request that from you instead at this point and to come back at 2 p.m.

Mr. Reville: I have a point of good manners.

Mr. Chairman: I will accept that, although it could be unique.

Mr. Reville: I wonder if the superannuation experts could be advised what their future holds in store for them. If we get into some discussion of these matters it seems to me there is enough to deal with that the superannuation people probably do not have to attend this afternoon. Would that be reasonable? Perhaps we could let them know that in some manner or other.

11:40 a.m.

Mr. Chairman: The easiest manner is for me to say that at the moment I do not think we will be able to see them this afternoon and we will notify them as soon as we have a decision as to whether and when the committee is going to be dealing with this matter. I think that would be the best way because I have a sense, and I do not know why, that this debate on procedural matters may go on at some length this afternoon.

If there are no further interesting motions—I am in the middle of a motion to adjourn; is this another motion?

Mr. Reycraft: May I ask that it be 2:15 p.m.?

Mr. Jackson: Make it 2:30 p.m.

Mr. Chairman: There will be no votes taken at that time. Standing order 89(c) still holds. I would prefer us to start around 2 p.m., if we can, since we will be two and a half hours.

Mr. Jackson: We have a meeting with the pharmacists; so we could meet at 2:30 p.m.

Mr. Chairman: It will be a long lunch. We will be back at 2:15 p.m.

The committee recessed at 11:40 a.m.

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Johnston, R. F., Chairman (Scarborough West NDP)
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Afternoon Sitting

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, November 20, 1985

The committee resumed at 2:22 p.m. in committee room 1.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the meeting to order.

Mr. Jackson: Carried.

Mr. Chairman: The meeting is now in order. It has been convened.

Mr. Davis: I would like to request a 20-minute delay while my colleagues get here.

Mr. Chairman: No. You can argue that when there is a vote being taken, otherwise we would never get a committee started anywhere in this whole place.

Mr. Davis: Can we rule the chair out of order?

Mr. Chairman: You can try it, but I would get a New Democrat to move it if I were you. They tend to have success with that sort of thing.

Mr. Davis: Could I have a conference with my colleague back there?

Mr. Chairman: You talk to him while I remind members where we are, and that is that we took an early recess at the request of Mr. Jackson, who had the floor at the time in the initial responses to the motions by Mr. Allen. You will notice that the clerk has provided the third part of Mr. Allen's recommendation on religious studies in the public secondary system for the members to have a look at.

Mr. Jackson: It might be worth noting that I find it interesting that Mr. Allen is able connect the words "state" and "religion" in the same sentence when everyone during the hearings told us not to.

Mr. Chairman: That is a good aside, I like that.

Mr. Jackson: I will have to come up with three more until Mr. Bernier arrives.

Mr. Chairman: There is no vote on that, it was just a matter of discussion; but if you want to defer it—

Mr. Jackson: No; just bring me up to speed, Mr. Chairman. We have heard from Mr. Allen; we have had some response from Mr. Reycraft.

Mr. Chairman: Yes. Now we are hearing from you on behalf of your party, and then we will just open it up for discussion for all members to have a look at it.

Mr. Jackson: Some concern was expressed in committee at 11:35 a.m. by virtue of the surprise of members of the Progressive Conservative caucus that we would dismiss clause-by-clause so quickly and so easily.

Mr. Chairman: This was dealt with at the steering committee meeting two weeks ago, of course. I am surprised you are so surprised.

Mr. Jackson: One hopes against hope, not only in the House when one asks questions but also in committee.

Mr. Davis: Just to be fair and be on the record, I think the discussion at the steering committee was simply that that was a proposal you would like to look at; I do not think there was any indication that any individual party was going to go that way. I understood that they were going to go back in caucus and decide whether that was where they were going. I think that is fair.

Mr. Chairman: Yes, but the nature of the motion was pretty clear.

Mr. Davis: We were aware of the nature of the motion, but we were still shocked to hear that the decision went that way.

Mr. Reville: Were you appalled?

Mr. Jackson: I got rudely interrupted. You dance with it for a while.

Mr. Chairman: Is one of you going to speak?

Mr. Jackson: I am just grabbing my notes. There is no surprise regarding Mr. Allen's motions, since they were born out of concerns expressed by committee members from all three political parties as well as by members of the public. Given that we as a committee are not going to be discussing clause-by-clause, it would perhaps be a wise use of our time, given the four and some-odd months of input that we have received on general education policy in Ontario.

We feel there are not only the issues raised by Mr. Allen, who seems to have focused on three specific areas. We also believe there are other areas that are related to the issue, and we would like to beg the committee's indulgence to present several other points to join Mr. Allen's motion.

Mr. Chairman: Do you want to move this as an amendment to Mr. Allen's motion?

Mr. Jackson: Yes, but we would correct the numbering in an effort to join them in same the way you connected his two separate motions this morning. We would number these sequentially number 4 and so on.

Mr. Chairman: Fine.

Mr. Jackson: Dismissing the preamble in this amendment, number 4 would be:

"4. In view of the seriousness of the potential impact on teachers of technical studies, the decline in enrolment in technical courses because of the Ontario Schools, Intermediate and Senior Divisions guidelines and the increased importance of technical knowledge in our society now and in the future, the necessity to ensure that Ontario's youth will be equipped with the knowledge and training through technical courses necessary for their successful participation in the work force;

"5. Whereas the women teachers of the province express concern about the disproportionate effect on women of any transfer policy, the need for affirmative action to ensure a gender balance in any transfer arrangements and the feasibility of seniority portability to protect those teachers forced to move because of a spouse's transfer of employment to another jurisdiction;

"6. Because of the uncertainty in the francophone community over the governance of French-language education and the difficulties experienced by both public and separate boards and the planning and implementation commission in arriving at plans for the implementation of full funding, particularly in areas of high francophone population, the absolute need to clarify the governance of French-language education."

Number 7—okay, we will stop at number 6.

Mr. Chairman: That other would be an amendment, 1(a), which we will bring in later on.

Mr. Jackson: Yes. We wanted to expand, with an amendment, I believe it is number 1 of Mr. Allen's motion.

Mr. Chairman: You are right. Would you like to speak to your amendment?

To help the committee as they are doing this, can all members also talk not just of the need for doing these things but also of the timetable they see for it? I am talking about both of your amendments, which you will now speak to, and Mr. Allen's motion. Do you see these as things we will debate or things we would just like to

bring to the attention of the minister? For instance the French governance question: how would you like to deal with that? Can you talk not only about why you want these things but also about how you see them going and what kind of timetable would be useful?

Mr. Jackson: It is hard to respond, since Mr. Allen sort of created the tune. We are just providing additional melodies.

Mr. Reville: We need some bars added.

2:30 p.m.

Mr. Jackson: Yes, but the bars occurred in the first vote this morning. However, having said that, we would appreciate some further clarification from Mr. Allen in terms of the time, since we feel we now have six issues of equal import. We will be pleased to hear from him what he had envisaged. Each in its own right is a substantive issue.

Mr. Chairman: Each member is going to have to deal with this, because if we decide to have this debate, and it is beginning to sound as if we will, then the question is how are we going to order our time. These are additional matters in speaking to the amendment that you are proposing. Can you talk a little bit about how you might see this going?

I just remind members that as we left this morning Mr. Allen was talking about the potential of dealing with these things through next week, essentially, when he was talking about his three amendments. Now we have another three substantial suggestions here and the question is do we deal with these things all in the same way. Are there different ways of dealing with each one of these matters? I think that would be helpful in the general discussion. Would you like to take us through them in terms of the why as well as how you see it going? That would be useful, Mr. Jackson.

Mr. Davis: In section 4, the one on technical studies, the tremendous impact that is occurring in technical studies across this province was brought home to this committee most dramatically. I do not feel it is sufficient for the ministry simply to say, "We are looking at it." It is imperative that one recognize the tremendous impact that OSIS is having on technical education in this province, the tremendous impact that educational personnel are having by recommending to young people across this province that they try to remove those 16 compulsory credits quickly, at the expense of technical education. No one wants to address that issue.

My colleagues and I believe that technical knowledge, information and skills are imperative for the majority of students in this province. We know that 70 per cent of young people in this province do not go on to college and university. We feel it is important for this committee to talk in an open-forum dialogue—and I am prepared to say it should be for a morning—about our feelings about technical education. Maybe we should have the ministry condense those lovely books it gave us—which, by the way, I did leaf through—which you so kindly presented to me up north so that I would have to bring them home on the plane. I recall that incident.

It is imperative that the minister get a feeling of where the individual parties are and how they feel about technical education. So I would be prepared at this point to say that we should spend a morning, and ministry officials could come in and tell us why they are changing and what they see in the future, especially as we have heard the deep concern on the part of the educators from the public system who believe they will become the focal point for technical education.

There has to be some justification that we can talk about in respect to auto mechanics. There seems to be an indication from people who came before us that auto mechanics are going to disappear in the society we live in. I do not think that will happen.

One of the other things we would want to talk about in the discussion is not only the technical problems with technical education but how we promote technical education in this province. How do we convince young people that it may be in their best interests for their future to become more adequately involved in technical education?

I am of the opinion, and some members of my party are of the opinion, that we will become a highly technical society in the next decade and a half as we begin to see the advancements occurring out there in industry today.

So in that respect I would foresee spending a morning on technical education in which we share together, and that information then can be conveyed to the appropriate authorities, from people who have contact with grass-roots individuals in teaching positions and in industry and from the students we run into on how they feel about technical education.

Technical education also has its beginnings in the public education system. We have to address that issue specifically for the Catholic community, which does not have the quality at this time,

because of funding, in the kinds of shops that we find in the education system of the public boards.

So I see that as an opportunity to sit and share. Maybe some resolutions will come out of it. Knowing the great visionary aspect of this committee, I assume that some amendments will be made to that, some recommendations flowing from it.

In section 5 on women teachers: again, we are not going to deal with the bill clause-by-clause, and yet the women teachers of this province have come before this committee almost without fail, every one of the delegations, to express their deep concern about the transfer policies. That particular aspect is not addressed anywhere in the planning and implementation new guidelines.

If we follow what is going to happen, it is possible that a disproportionate number of women teachers will be on those transfer lists. That needs to be addressed very quickly, and I would see that as one of the priority items this committee should deal with so the minister has the feeling of this committee in that respect.

As I understand what happens now in the education field—and I think it can apply both ways now—as people move because of employment opportunities, the spouse, either male or female, can be transferred for employment reasons and, as I understand it, those seniority clauses do not allow portability. It seems to me that if a teacher is moved from Toronto to Windsor and is hired there should be at least an examination of the portability of seniority because of our position in society on the unity of the family. I think we have to have recognition of that fact.

The francophone issue is self-explanatory. The new government withdrew Bill 28. Promises, promises, promises. They were going to do something. The Carleton board came before us; the Prescott-Russell board has come before us. Remember: they laid out the complicating factors they had.

The Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario seems not to be able to deal with that position. That is another area of high priority we should at least discuss and get on the table so the minister is aware of our concerns.

If you want me to speak to the—

Mr. Chairman: No, could you leave that—

Mr. Davis: The other part?

Mr. Chairman: —and actually come to an amendment?

Mr. Davis: I see us spending a morning or afternoon in those areas, discussing them and trying to bring about some kind of comprehensive understanding that we can forward to the authorities to be.

Mr. Chairman: It all follows, as far as I can see. The only question I have is on the second suggestion—section 5, it would be now. Is it your presumption that this is something that cannot be dealt with under Bill 30? Everything else seems to be something that we are saying is external to Bill 30. It had been my impression that committee members were really looking forward to doing something in Bill 30 around the whole question of the 'disproportionate effect' on women.

Mr. Davis: There are transfers taking place now; they are occurring. We have said we are not going to do clause-by-clause on Bill 30. There is nothing in the planning and implementation commission's new guidelines that deal with that. I think this requires a type of emergency debate where we make that position known very strongly and Mr. Reycraft can carry it back to the minister. I think we should discuss it. In the present situation I do not think it will be addressed in Bill 30.

Mr. Chairman: On those last two matters, do you see the need to have anybody come in, or are those things that we could discuss, as you are saying, in half a morning and then come up with some recommendations; whereas the first one—

Mr. Davis: The most I would see is that maybe in the women's concerns we might want to have one representative there if we have a question to ask.

Mr. Chairman: Sure; someone we can call up.

Mr. Davis: If we have someone from the francophone community, let us say we have a question at least he can give us some input. But I do not see great numbers of people coming before us, no.

2:40 p.m.

Mr. Chairman: We now are discussing the amendment as put forward by Mr. Jackson, which at this stage would be adding essentially the three matters to Mr. Allen's initial three. If it is all right, let us discuss those as a package—no, let us not.

Mr. Jackson, it would also be appropriate that you move the further amendment to that first section of Mr. Allen's motion as part of your motion, and then we can deal with the whole

package together. Why do you not move that as well?

Mr. Jackson moves that item 1 be amended by adding, "The creation of a special grant within capital funding designated to the upgrading and renovation of schools and that attention be paid to the new funding needs of northern Ontario."

We are now discussing this package of amendments, if I can put it that way, four, five, six and the amendment to one, which we will call 1(a) for the purposes of distinction at the moment. Any discussion on this matter?

Mr. Reycraft: I have some concern that the standing committee on social development is now rapidly taking on the look of a task force on education discussing a range of issues, all of which are important, most of which are currently in some state of review within the Ministry of Education.

During the recess we had an opportunity to caucus. We are also concerned about dealing in this forum with issues that would be perhaps more appropriately addressed during the estimates. I guess I am addressing the first two of Mr. Allen's motions, the first of these three.

I question whether the committee has the resources in terms of time or money to do a thorough review and debate on these issues and to be able to bring forward any meaningful and substantial recommendations for the minister. In the light of the scope of issues now proposed to be considered in this way, I also have some concern that we are moving outside the mandate of the committee, although I am certainly not familiar enough with procedure to be able to take a firm position on that. Perhaps I should have begun by requesting some information and direction from you on that issue, but I will leave it at that for now and hear what the others have to say.

Mr. Chairman: We are in a grey area here dealing with anything outside the specific parameters of the bill. I recognized that when I initially said to Mr. Allen that other matters coming forth from the public hearings, such as the two of you were suggesting initially, could be looked at but would not be part of a report.

Each one of these matters has come up a number of times in the hearings. That is what I see as part of that continuum. Each one in some way has some impact either on Bill 30 or as a result of Bill 30. We have heard special problems for the technical studies talked about and how Bill 30 could exacerbate some of those difficulties. We have heard about the disproportionate potential effect on women as a result of the

transfer process and there is mention in Bill 30 of French-language entities and that kind of thing.

It is difficult for me to rule one of these things not in order versus any of the others because they all have the same kind of peripheral connection with the bill. If we are going to discuss any of it, and I have ruled the first few in order, I think I have to consider these two in order as well. My only concern about No. 5 was that it looked like something that could be directly within the bill while the others all seemed to be just outside of things that we cannot put in the bill specifically.

I will rule them in order as far as our capacity to look at them is concerned. Members should think about this: we have other responsibilities as well, whether it is bills referred to us or estimates for the ministries under this committee's responsibility. Any long debate on any of these matters will obviously cut into our time for those things. That is why I wanted an indication as to how much time we should give to these matters.

For the committee's information, do you, as parliamentary assistant, know when we might be seeing the report on the financing of education? Is there any word about when that might be coming down? That might have an impact on when people would like to have that discussion.

Mr. Reycraft: My understanding is that it would not be before the end of the year, or not much before.

Mr. Chairman: That does not help us a great deal. I think I will rule all these things in order. Another thing we might want to decide is whether to let the steering committee rather than all of us here today discuss whether or not we want to proceed with any or all of these matters. Let us first continue with the discussion of these various subjects that have been raised and how best we can deal with them.

My own impression is that some of these things can be dealt with differently than other things and some with greater dispatch. Mr. Reycraft's concern about us not dealing too peremptorily with issues that are quite complicated, and not glossing over them with a very quick review, is one we should keep in mind.

Mr. Allen: There are two or three guidelines we need to get us through this. One is that the intent of my motion was not that this committee deliver a ready-made and completely packaged solution on any of these subjects to the minister. Rather it was that, having gained some significant impressions on a number of important related issues that could not be dealt with through Bill 30, it would be useful for us to convey our sense of that issue to the minister. In that sense,

outside the really especially technical issue of early retirement, we would not want to have a long, drawn-out series of hearings in order to resolve our minds on every single detail of these issues.

We cannot anticipate the Macdonald commission. Obviously our point is not to duplicate or attempt to give a new pattern or structure for educational finance in the province; that was not my intention. It was to signal to the minister what we had gathered from all we had heard from the public on the seriousness of this issue in Ontario.

2:50 p.m.

The second guideline should be whether or not we are about to move to a resolution of one of these issues in any case in the very near future, by which I mean days or weeks. Take, for example, the third point Mr. Davis has listed: clearly we are going to have a bill very shortly on French schools' governance.

The parliamentary assistant may be able to give us an almost precise date, but that is information we all need to know. The point is, if that is coming forward within a week or two it would be irrelevant for us to engage in this discussion with a view to clearly resolving that issue other than in the motherhood fashion that is suggested, the absolute need to clarify the governance of French-language education, and we can all agree on that within the space of a couple of minutes. So I do not have any objection to that being there.

Any more involved discussion would engage us in the kind of research which lay behind Bill 28 and that is not necessary because Bill 28 will be coming forward with compendia and supporting material.

Mr. Chairman: Before we go to another speaker, what was your motivation in the initial motion, which I gather you do not see is much changed by the addition of these other matters? You were not looking for definitive responses but rather to indicate to the minister things that had been raised and directions where we came to a consensus of some sort, directions that the committee thought the ministry should be looking at. Is that more it, rather than—

Mr. Allen: Yes, and which lay outside the framework of Bill 30 and which would not be addressed in the context of Bill 30.

Mr. G. I. Miller: We do have estimates coming up for the Ministry of Education. Has that time been slotted at this point?

Mr. Chairman: No, because no one knew when this committee was going to be finished

what it is doing. There is no guarantee at this stage we will be getting the Ministry of Education estimates before this committee. It could well be that they will be before one of the other committees, so that all members who have been involved with Bill 30 would not necessarily be there for those estimates. We do not know at this point.

Mr. G. I. Miller: Critics from all parties will be there.

Mr. Chairman: Critics will be there, yes.

Mr. G. I. Miller: It seems to me the problems we are dealing with have been indicated by both the opposition party and by Mr. Allen, particularly by the opposition party. The minister should be available. That would be an opportune time to have access to the minister and his staff and you could put this question to him then.

The decision of the court and any questions with regard to that information would be available first-hand. We could deal with this at that point. Then, if it needs to go to a committee, the minister can be persuaded that is the direction it should go and the House can go in that direction. We have achieved almost everything we can at this time. Until the court decision comes down we have to wait. I think we should be dealing with these problems through the estimates.

Mr. Chairman: That is the kind of decision we are going to make. I consider them in order as long as we are relating them to Bill 30 and the hearings we have had, and the committee has the right to look at it as it chooses. It is a matter of choice.

Mr. Jackson: In moving items 4 through 6, there was an understanding we would be brought up to date in some fashion about the ministry's point of view; what plans, if any, are currently under way, as implied in the draft of Mr. Allen's motion 3 where he refers to the committee's request for a full briefing from the ministry.

I had drawn that conclusion about all those items and I see the need for that when Mr. Allen has specific knowledge of the whereabouts of Bill 28 and when it will resurface from hiding. Even the time lines he is aware of, which members of our caucus are not aware of. I think there are two convincing arguments that we should further amend so that it is absolutely clear. This complete motion should be amended so that the committee can request that the Minister of Education or ministry staff report to the committee on the current status of these matters so that the committee does not waste its

time in areas where the ministry is on the verge of presenting legislation.

It is important that the matter be clarified and therefore I would propose that further amendment.

Mr. Chairman: Are you moving that as a further amendment?

Mr. Jackson: It is more for clarification, because I think it was implicit.

Mr. Chairman: We could ask for whatever extra materials we want. What we are really deciding at the moment is what we want to discuss. We can always ask the minister, but if you want to—

Mr. Jackson: You did ask about time lines and process, and I am saying I understood from Mr. Allen's motion 3 that we were to be brought up to date by the ministry on that subject; and further by his intimate knowledge of the whereabouts of this specific bill, of which members of our caucus have not been informed.

I think there are two compelling reasons that all six matters have some statement from the ministry in terms of current thinking or current planning or current development in those areas.

As you have said, we do not wish to waste a lot of time going over territory where we are on the verge of government policy, but by the same token we wish to ensure that the ministry has our input on these issues vis-à-vis the relevance to Bill 30.

Mr. Chairman: This is a motion we will find some way of tacking on to the end and clean up the wording overall. The reason it should be left in is that there may be disagreement as to whether all of these things require ministerial briefings or whether only some of them do. I will leave that in as something that can be debated as part of the overall package.

Mr. Allen: I am quite prepared to support that proposal. It might be useful to have the minister come and simply give us a quick reporting from his point of view of the current status of the issues we are concerned about. Then we could request additional ministry personnel to come at each point in question.

I would be surprised if the minister was not interested in hearing our views on a number of issues related to Bill 30 so that it remains well-focused in terms of the purpose of the message we are sending.

These matters can be discussed in their own way under estimates, but there is also some concern to keep time in hand for estimates and perhaps focus our discussion around a few major

salient issues. It might not be possible to give them the kind of discussion in the time that would be necessary from this committee's point of view, speaking out of the context of the hearings. That is why I think it is important we do it now rather than later.

3 p.m.

Mr. Davis: I concur with my colleague. He has indicated he may have some knowledge that the francophone governance bill is going to be with us in two or three weeks, so I would support that clarification; and then we can deal with the areas where the government has not begun to set policy.

Mr. Chairman: What is being proposed at this point is that we discuss these matters within the committee, but that we order that business in the context of what we learn from the minister about the present status of these matters. Some of them we may carry on with and others we might decide not to. That is where we are now.

Mr. G. I. Miller: Again, has the number of hours in estimates for the Ministry of Education been established yet? How many hours? Twenty?

Mr. Davis: It was not established the last time I looked.

Mr. Guindon: It is around 18 or 20.

Mr. G. I. Miller: Was the comment made that it was going to be cut back? Was that your interpretation?

Mr. Chairman: I understand there is still negotiation going on among the House leaders about what the length of estimates for all remaining ministries will be, given the time constraints we have coming to the end of the year and the possibilities of sitting in January. I do not think there are final numbers on any of them. What seems to be happening with the ones that are currently being discussed is that they are maintaining their usual number of hours, and if they do not go that long then they do not go that long.

There is continuing negotiation about trying to shorten the number of hours because of the few weeks left before Christmas and the possibility that if we maintained all the regular hours for estimates we would be meeting through part of January.

Mr. G. I. Miller: I do not think they should be cutting back on Education, because of its importance and the need to give opportunity to the critics to make all the points they would like to make. We could interfere with the operation of that committee by extending this one. Time is

moving on and we are getting to the end of November.

Mr. Chairman: Robert Nixon is a name that rings a bell with me in terms of being your House leader. I suggest you chat with him about it and other members can do the same on their own about that. That is where the problem lies at the moment. It is in the lap of the House leaders and, as you know, a very complicated trade-off negotiation is involved at that level, not to mention sellout; but that is another whole—

Mr. Guindon: You are familiar with that.

Mr. Chairman: I am very familiar with that. Is there further discussion on these motions at the moment or need for more clarification on these matters? If not, my interpretation at the moment of what you would be voting on is, if we pass everything as put forward we would be asking the minister, probably very early next week, to come to the committee and give us some idea of where these various matters stand at this point.

At that stage, I presume the steering committee would then be given the authority to try to work out where we want to go from there. If everything were passed that is here in terms of amendments, that is where we would be.

Mr. Davis: That is fine.

Mr. Chairman: We will do this in the normal fashion, taking the last amendment first—or is that going to be easy, because that is the one that calls on the minister being here? Let me just think about this for a second.

Mr. Davis: Unless I have misread, there seemed to be an agreement to the various amendments that were put out.

Mr. Chairman: I do not think so. I have heard discussion on the other side saying that estimates would be the best place to have these kinds of discussions, so I am not clear we have agreement.

Mr. Davis: All right.

Mr. Chairman: Let me just see the easiest way for us to move through these without getting all trammelled up.

I would like to see if this is acceptable to members, just to help us get through this. My suggestion would be that we would, with the help of the clerk in all her wisdom, take the amendments from Mr. Jackson first. We could do numbers 4, 5 and 6, either individually or as a package. I will leave it up to members as to how they would like to do that.

Then we will move to Mr. Jackson's amendment 1(a), to which I referred. Then we move to Mr. Allen's initial clause in his motion. Then we

would take Mr. Allen's three motions. Then we would move to the final motion about inviting the minister to come before us. We could do it in that order. That seems to me to be the easiest way to go through it. Is there general agreement on that as a means of proceeding? Okay.

Would you like to do 4, 5 and 6 as a package?

Mr. Guindon: We did not agree on numbers 1 and 2.

Mr. Chairman: We are going back to those now.

Mr. Davis: The three will go as a package.

Mr. Chairman: I will read out what it is you are voting on.

The first is that Mr. Allen's motion be amended to have items 4, 5 and 6 added as printed on the circular put through by Mr. Jackson. Would you like to vote on those en bloc, 4, 5 and 6?

All those in favour of amendments 4, 5 and 6, please indicate?

Motion agreed to.

Mr. Chairman: We are now voting on the amendment on page 2 of that circular which would amend item 1 of Mr. Allen's motion to add at the end of that sentence in Mr. Allen's motion, "Also the creation of a special grant within capital funding designated for the upgrading and renovation of schools, and that attention be paid to the unique funding needs of northern Ontario."

Motion agreed to.

Mr. Chairman: Let us move back to Mr. Allen's motion 1, as amended. I think it might be better to separate these.

We just passed the amendment. We will now vote on Mr. Allen's motion 1, as amended.

Mr. Davis: Could we vote on these in a block by simply saying "motions 1, 2, and 3, as amended"?

Mr. Chairman: All right. We have agreement to do that. I would remind members, because there seems to have been some confusion, that item 3 reads, "the present state and possible future expansion of religious studies in the public secondary schools," not the other matter which was circulated earlier on religious education in the public schools.

All those in favour of motions 1, 2, and 3 as amended, please indicate.

Motion agreed to.

Mr. Chairman: Now we will deal with the final amendment. Would you like to reword that for me?

Mr. Jackson: Where I would insert it is in Mr. Allen's preamble where it says, "the committee consider." At that point, insert "the committee requests that the Minister of Education be asked to report to the committee on the current status of these matters prior to its consideration and discussion."

Mr. Chairman: I wonder if I might suggest a better way. Given the wording of Mr. Allen's motion, which is that we are looking at a decision to consider these matters, let us look at that as one motion that we have just passed, and we will take one final thing, which is to say the entire motion as amended. Then we will move on to this motion.

Are you following what I am saying? In other words, what we have just done is we have passed a series of amendments and Mr. Allen's initial motion. Now what we will do is get a vote on that entire package, and then we will move to another procedural motion which would be requesting the attendance of the minister.

3:10 p.m.

Mr. Davis: That is fair. No problem.

Mr. Chairman: What I am now asking is whether members of the committee are in favour of the package of issues we would be looking at, one through six, or Mr. Allen's motion as amended in total. All those in favour of that, please indicate. All those opposed? Agreed.

Mr. Jackson moves that the committee request that the Minister of Education report to the committee on the current status of the matters included in Mr. Allen's motion.

Mr. Jackson: Prior to our discussion.

Mr. Allen: If I might make a friendly suggestion on the wording of that and ask the committee to consider requesting. Perhaps we should simply have the direct statement that the committee request.

Mr. Chairman: I changed it as I said it just then.

Mr. Jackson: It is not in the printed form but when I verbalized the motion I said "request."

Mr. Chairman: The committee requests that the Minister of Education report to the committee on the current status of the matters included in Mr. Allen's motion prior to the committee's discussions.

Mr. Reyecraft: That is an addition to it?

Mr. Chairman: Yes. Because this is a new motion we can have discussion on it rather than going straight to a vote. I could perhaps raise a couple of procedural considerations for people.

If we are to ask the minister to come, I am not sure what day that can be done in terms of his being is prepared and briefed on all the large range of matters we have put in this group of motions within Mr. Allen's motion. Therefore, we may not be able to get him before us for a number of days. We may have other business that intervenes before that, as directed by the House leaders.

Mr. Davis: It would be our position as a caucus that we are prepared to be here at the convenience of the minister.

Mr. Jackson: As long as it is this fall.

Mr. Davis: Early this fall?

Mr. Jackson: Within the fullness of this fall.

Mr. Davis: We would hope before the end of the year.

Mr. Chairman: Would you therefore leave it in the hands of the chair to try to arrange a time? Okay.

Mr. Jackson: I have every faith that we will be able to get Mr. Conway. What you get out of him is another matter, but I am sure we can get him.

Mr. Chairman: We may get as much out of him as we got out of Mr. Davis, but that is another matter.

Mr. Reville: You are speaking of a different Mr. Davis than the one who left.

Mr. Chairman: Well put, a nice distinction. Is there any discussion on the motion?

Mr. Reyecraft: If I may have some clarification here, the motion will be that there shall be no discussion of these six issues until the minister comes before us to give us some kind of status report.

Mr. Chairman: That is right.

Mr. Davis: I would assume, and maybe you can clarify it for me, that he would attempt to be here before the end of the year. I am sure he will be here shortly. I agree that we do not want to waste our time debating if they are close to resolving those issues. We need to know.

Mr. Chairman: The committee requests that the Minister of Education report to the committee on the current status of those matters included in Mr. Allen's motion prior to the committee's discussions.

Mr. Allen: I am worried about time and agenda. I thought they had crept into the motion.

Mr. Chairman: None of those things has crept into the motion. There is no time frame mentioned in the motion at all. It is just a request

that the minister attend on this pot-pourri of issues we are asking about.

Mr. Allen: The operative phrase should be "as soon as possible."

Mr. Chairman: Would you like to add "as soon as possible" to the motion, or are you asking me to try to assert that from this chair?

Mr. Jackson: "Forthwith."

Mr. Chairman: Where would you like that? If you are moving an amendment, move it. If you are just asking me to get it, say so.

Mr. Jackson: I wish to move an amendment to the motion requesting, "That the Minister of Education report to the committee forthwith on the current status of these matters."

Mr. Chairman: Any discussion? All those in favour of the motion, please indicate. That is unanimous.

Motion agreed to.

Mr. Chairman: That completes our business for the day.

Mr. Davis: On a point of order; and perhaps you can tell me where this would come in, maybe it is clarification: During the discussions we had throughout the summer to the late fall there were a number of items the minister promised to bring before us. One of those items happened to be a definition of the viability of a public educational system.

There were a number of other items, some have come before us, but methinks some have not come before us. Could you identify or find out what those areas were and have that information given to us?

Mr. Chairman: I will try my best to do that. There has been a liaison officer doing that for us. It may be because of the wording of something which has taken place that we have missed it, but on the whole we have had the list fairly well provided.

Mr. Davis: The minister said he would bring a definition to this committee of the viability issue and that has not come.

Mr. Chairman: I am not disagreeing. I am just saying I will try my best to get it.

Mr. Davis: We received some information just lately. The other question I have is, now that the committee is not sitting on Bill 30, if we are not happy with the information how do we obtain the information we wish? It is pretty bland.

Mr. Chairman: If we have difficulty doing it as a committee the other option as a private member is a written question, although you may wish to try to do it under the terms of Mr. Allen's

motion. That is probably the most effective means of getting that kind of documentation if it is something you do not think has been full enough. It is usually better to go with a written question.

Mr. Davis: Thank you.

Mr. Chairman: Are there other matters members wish to raise?

Mr. Guindon: I wish to bring to the attention of the chairman, that I believe it was in London the minister said he would keep at least this member and this committee aware of all developments on the French governance and French-language issue. We have not heard a word.

Mr. Jackson: It has been an open door, except for Cornwall.

Mr. Chairman: I noticed Mr. Allen made a provocative announcement. A number of you responded to it, but so far the parliamentary assistant has not. There is nothing I can do to help you with that. He is almost provoked to do it now.

Mr. Reycraft: The minister has indicated that, I think it is a replacement bill rather than Bill 28, will be introduced in the Legislature before the end of the year. That is still our intent. The consultation process is actively going on and things are moving forward as planned. We are very confident that it will still be presented some time in December.

Mr. Chairman: The universe is still unfolding, but I think Mr. Guindon would like to be part of the unfolding. Perhaps you could pass that message on to the minister.

Mr. Jackson: I wondered how freedom of information crept into the accord. It is now crystal clear to me.

Mr. Reville: If some of the caucuses could leave a little room for legislation in the House we might actually see many of these things.

Mr. Chairman: Are there any more gratuitous partisan remarks that others would like to throw in before I bring down the gavel?

Mr. Reycraft: I must say I was quite surprised to hear someone with the name William Davis describing someone else as being bland.

Mr. Davis: I would like to say that the current Minister of Education has taken his instructions very well. I have heard you, other members of your party and government members describe the ability of the former Premier to be able to not necessarily answer questions. I would like to assure you the present Minister of Education is doing a cracker job.

3:20 p.m.

Mr. Chairman: We will pass on your compliments.

Before we adjourn, it would be appropriate to recognize that we have come to the end of a long set of hearings, probably the fullest public hearings of any committee in the Legislature's history, especially with respect to participation by individuals rather than lobby groups. That has been quite a remarkable event for us.

Through all this we have been ably assisted by Albert Nigro and Robert Gardner from the legislative research service, who still have work to do getting our compendium ready in the next 10 days or so to help us when we get to clause-by-clause; and especially by Madam Clerk, who has put up with all our travel changes and has been of great assistance to me in the chair. It would be wrong for us to adjourn this section of our work without recognizing their help.

Mr. Davis: Before you bring these deliberations to an end, at least until we move to clause-by-clause—

Mr. Jackson: It is in abeyance.

Mr. Davis: It said conclude.

Mr. Jackson: Hell, I spent an hour on that part.

Mr. Davis: On behalf of my caucus and the rest of the members, speaking for your caucus, I express our appreciation to your leadership skill during these months. Sometimes it was very trying for you, sometimes you took on a tremendous responsibility and your health did suffer. We appreciate the leadership you gave and the interjections of humour which kept our sanity. We do appreciate that.

Mr. Jackson: I appreciated your attendance in the chair even more when Mr. Cooke was in it. You can let him know.

Mr. Allen: Mr. Chairman, I am sure you would want the clerk to convey our thanks to other support members who have assisted us so well in the course of these many months in transcription services and assistance in our office and so on. They kept us on the road and well organized. It has been a good experience in that respect, especially for members, and I include myself, who have not had a lot of experience in committee work of that intensity.

There has been an unusual degree of camaraderie as well as a certain number of barbed-winged messages flying across the room from time to time, but it has been a good experience. I want to say to other members of the committee

and those who travelled with us so dutifully and diligently—

Mr. Chairman: Absolutely.

Mr. Allen: —serving their own interests, of course, but doing it so well.

Mr. Chairman: Name names.

Mr. Allen: It has been a good experience of the committee work and I hope the reform of the committee system in this Legislature will make it possible for this kind of experience to be a more frequent one. It has done a lot to relate the Legislature to the public in a way that is not often the case in legislative issues.

Mr. Chairman: I will not touch that last comment.

Mr. Reycraft: On behalf of the rest of us over here, we share your sentiments about the great

assistance we received from the staff throughout the summer and early fall of 1985.

I also add my appreciation for your leadership, your good humour and the way you relieved many of the more tense moments during the public hearings. Your timely comment made in Kingston to Mr. Timbrell will stand out in my memory as being one of the more humorous asides during the course of the summer. We recognize and appreciate your assistance and leadership.

Mr. Chairman: It is one of those attributes that, in a sordid sort of way, I intend to carry on. We are now adjourned until we meet again, whenever that may be.

The committee adjourned at 3:25 p.m.

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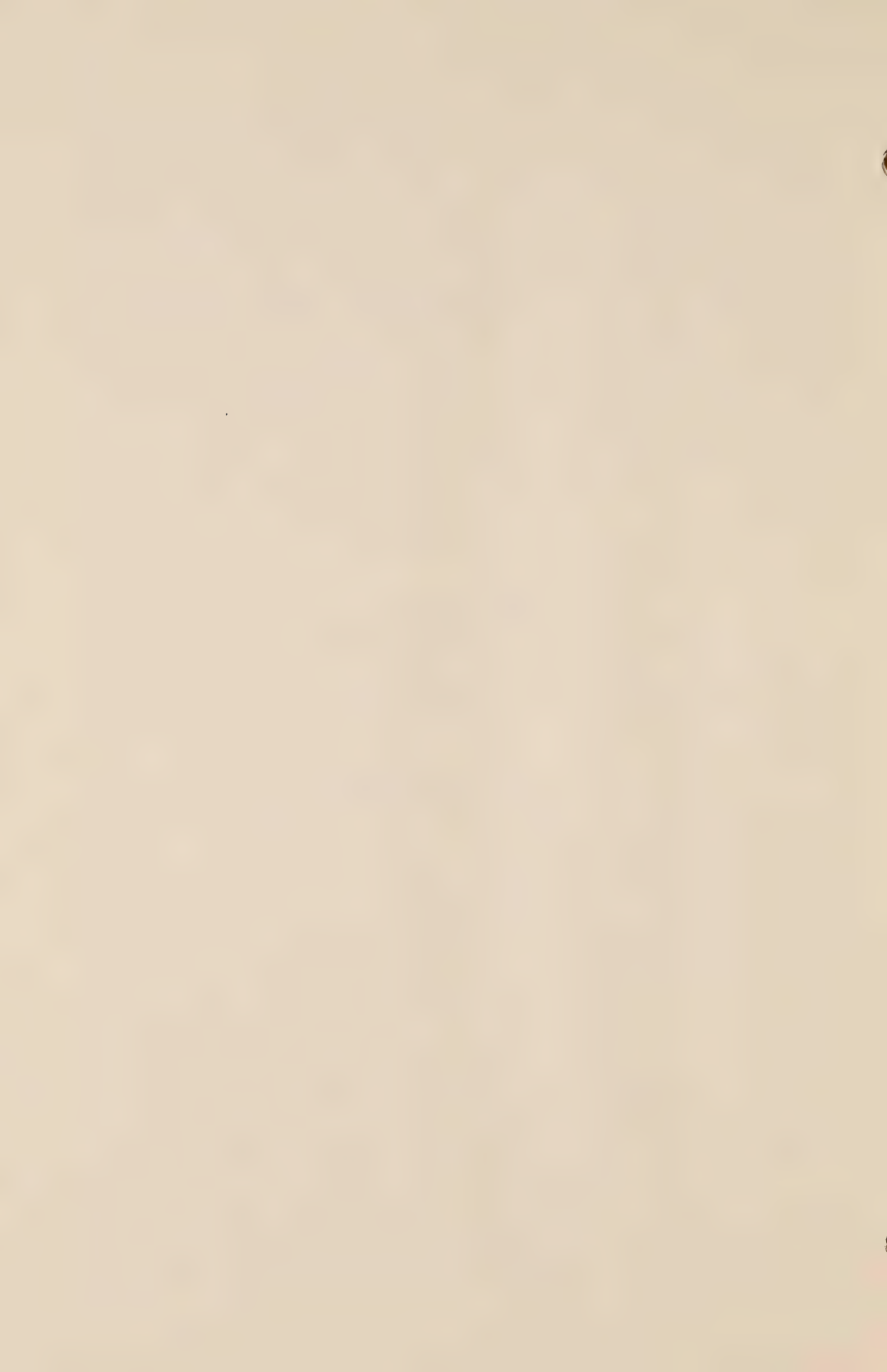
Education Amendment Act, Bill 30, Mr. Conway, adjourned	S-2275
Adjournment	S-2285

SPEAKERS IN THIS ISSUE

Allen, R., Vice-Chairman (Hamilton West NDP)
 Davis, W. C. (Scarborough Centre PC)
 Guindon, L. B. (Cornwall PC)
 Jackson, C. (Burlington South PC)
 Johnston, R. F., Chairman (Scarborough West NDP)
 Miller, G. I. (Haldimand-Norfolk L)
 Reville, D. (Riverdale NDP)
 Reycraft, D. R. (Middlesex L)







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Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Monday, December 16, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Chairman: Johnston, R. F. (Scarborough West NDP)

Vice-Chairman: Allen, R. (Hamilton West NDP)

Bernier, L. (Kenora PC)

Davis, W. C. (Scarborough Centre PC)

Epp, H. A. (Waterloo North L)

Guindon, L. B. (Cornwall PC)

Jackson, C. (Burlington South PC)

Miller, G. I. (Haldimand-Norfolk L)

Offer, S. (Mississauga North L)

Reville, D. (Riverdale NDP)

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Monday, December 16, 1985

The committee met at 3:46 p.m. in room 151.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act:

Mr. Chairman: I call the meeting to order, huskily. The latest piece of information from the Ministry of Education coming out of the Bill 30 hearings is just being circulated. It is some information on affirmative action programs the members requested earlier. You should have received a couple of other matters as well in the past few days that we have had updates on, which I gave to the clerk's office.

We have the Minister of Education with us today. The last time we dealt with things coming out of Bill 30, we came up with a list of items that we wanted the committee to pursue in the future, following from Bill 30. We thought the best place to start would be an update by the minister as to where these matters stand at this point. Then we can decide where we want to go from there.

Because it is hard to plan, and this is our last week here before Christmas, I have taken the liberty of presuming we might deal first with superannuation. Through the clerk, we have talked with representatives of the Ontario Teachers' Federation and the other federations are represented, so we can proceed in the next couple of days to deal with that. Perhaps you can have some resolution from the committee by Wednesday.

I am in your hands if you do not wish to do that today, but I made the plans so we could do it if you chose.

Let us start with the minister taking us through the items the members have raised.

Hon. Mr. Conway: I am pleased to be here. I have not been here for a while. I must say at the outset that we arranged this late last week, so I am here to give a quick report on the seven items that were on my list. I hope that covers most of what is on your list.

Before I do that, I should indicate that the report that has been requested on the impact of Bill 30 on women teachers is ready and it should be here soon. I think I signed a letter to you today. Scarcely a day passes, Mr. Chairman,

without a "Dear Richard" letter and another was signed today.

Mr. Chairman: We are becoming one-way pen-pals.

3:50 p.m.

Hon. Mr. Conway: At any rate the report, which is ready, should be on its way to you later today or tomorrow. I wanted to make note of that.

I will deal with the items on my list. The committee expressed an interest in government policy with regard to the 60 per cent funding level of educational cost at the elementary and secondary level. Regarding that, I now am a few days away from receiving the report of the Macdonald Commission on the Financing of Elementary and Secondary Education. I expect to be in a position to release that report early in 1986.

I want to be quite candid with the committee and with the House. I am looking forward to that report as the basis for a serious discussion of these and related questions.

The official response is that we will be looking at and dealing with this long-talked-about 60:40 split in educational costs in the context of the release of the Macdonald commission report, which I expect to release early in the new year. It is ready and is on its way to me.

You may be interested to know that the commission was supposed to have reported at the end of October. It asked for an extension to the end of the year and I was happy to give it. I talked to the commission just the other day and it is going to have no problem meeting the deadline. We will release that report early in the new year. I want to be quite honest and candid and say that I am going to look at the whole question of educational finance in the context of that report and whatever recommendations it makes.

The question of credit courses for religious education is something we are looking at in the ministry. A group has been at work. It continues to address those concerns. As you know, the matter was positively addressed in the report of the Shapiro Commission on Private Schools in Ontario some five or six weeks ago. The work group has not completed its review. It is a very important and much discussed matter, and by the

time we get to clause-by-clause consideration of Bill 30 perhaps I will be in a better position to give you the advice of the departmental work group.

I take that matter very seriously. There is not a general consensus in the community, but there is a great deal of interest. I note again the recommendations of the Shapiro commission in that connection.

The work group has been reviewing this matter and preparing advice for me. They have been at the task now for several months. I expect they will be in a position to make recommendations. Frankly, I had expected them before Christmas, but now I expect it will be January. When they report, I will be happy to share the information with the committee. We may want to deal with this in some fashion when we get to clause-by-clause consideration of Bill 30, although I am in the committee's hands.

Concern was expressed quite justifiably in terms of the impact that the Ontario Schools, Intermediate and Senior Divisions curriculum guidelines were having on enrolment in technical studies programs. The data on that has been discussed with some of the witnesses. I know the Ontario Secondary School Teachers' Federation has pointed out some of its experience and information in a number of the hearings, if my memory serves me correctly.

I do not know whether we have shared the data, but if not, we will make it available. Around 1981, there began to be a perceptible decline in enrolment in technical and vocational programs in the public secondary schools of Ontario. There is no question that OSIS appears to have aggravated that. In the Ministry of Education, we have a monitoring group that is looking carefully at precisely why this is happening and how the situation might be addressed.

We met with the headmasters about 10 days ago and discussed ways and means of alleviating the problem. One of the difficulties is the front-loading that is taking place. A lot of students feel they have to take a maximum number of the compulsory credits and courses very early in their high school program, and we are looking at ways and means of addressing that problem.

French governance was one of the items on my agenda. It has been to some degree or another addressed as of last Thursday. There may be some questions about it, but the legislation now is before the House. Trying to get it ready perhaps explains why I have not been as available

for some of these other important questions, if I may be a little apologetic for a moment.

Capital funding was indicated to be a concern, and with some real justification. I have spent a fair bit of my time over the past few months entertaining submissions from many of you about particular problems, especially in the growth areas. My friend the member for Mississauga North (Mr. Offer), among others, has quite understandably pointed out the pressures coming to bear on many of his constituents in communities in areas such as Mississauga, Dufferin, Peel, Durham and York. The member for York Centre (Mr. Cousens) led a delegation to the office a few weeks ago. He was very forceful and, I thought, very effective in laying the difficulties before us.

In response to some of that pressure, I was able to convince the Treasurer (Mr. Nixon) that we required in his October 24 budget some capital funding additional to that provided by the previous government earlier in the year. We were able to dedicate an additional \$25 million to take some of the pressure off the capital account. We did it on the basis of the programs and projects we could address in the school and calendar year 1986.

If any of you are wondering why the \$25 million was spent as it was, we tried to address a number of pressing concerns identified in the capital program and capital forecasts that could be done in 1986, thereby relieving some of the pressure that was building up, and giving us a little more flexibility for the capital forecasts in 1987. We now are in the process of prebudget discussions and there is no question that there is a lot to be done.

You will recall the discussions we had in committee in July, when it was indicated that a certain amount of money was allocated for separate school extension and for renovation and adjustments to certain buildings. That money is available, but it will not be spent or allocated until the Court of Appeal hands down its judgement, which is expected in mid to late January 1986.

I am looking carefully and seriously at trying to address the building capital pressures in the fast growth areas of the province. I know that all the committee members are sensitive to that requirement. Any suggestions the committee might have, short of spending an amount of money that the Treasurer perhaps will not supply, will be gratefully received by the Minister of Education.

However, I want to be quite candid with you. I am concerned about trying to address the

explosive growth we are experiencing in a number of areas, most of them in the Metropolitan Toronto region. With the possible exception of Ottawa-Carleton, there are not many areas that have the problems we have in such areas as York, Durham, Metro, Dufferin and Peel.

4 p.m.

A point on my agenda was the report on the impact of Bill 30 on women in the teaching profession. That is now ready and will probably be here tomorrow. On the basis of that, you may want to have a discussion at a later point. One of the issues you are going to find addressed is the data question. We are still at a fairly early stage in trying to understand what the specific impacts are likely to be, although some pretty good guesstimates have been offered.

The next item is one I know to be of particular interest to the committee. It has to do with possible changes to the teachers' superannuation fund, changes that we have all indicated would be quite desirable, particularly because of the potential benefits that have been identified for the community at large, the teaching profession and education.

I indicated earlier that, as Minister of Education, I am quite interested in changes that can be made to the TSF that will address the specific objective of easing the problem of redundancy due to ongoing declining enrolment, and provide at the same time an opportunity for those older teachers who want to leave without significant penalty or economic hardship.

At the same time as all that is happening, the changes in which I am interested will provide the teaching profession with an opportunity to bring younger teachers forward and, I hope, provide a genuine opportunity for the promotion and advancement of women within the educational community.

It is no secret to the committee that these are not matters entirely within my responsibility as Minister of Education. The Treasurer has something to say about these matters and we have had an ongoing dialogue.

Mr. Davis: I heard there was a fight.

Hon. Mr. Conway: It has been vigorous. I do not want anyone, particularly my friend the member for Scarborough Centre, to think we have not been discussing these matters rather regularly and with some vigour. There is no unanimity at this point about how we might best address the objective that I think we all share; that is, how we provide for the opportunity to rejuvenate the profession in a way that does not penalize the older teachers and that is done in a

way that accommodates both the older and younger teachers.

Representatives of the Ministry of Treasury and Economics and I have had some very interesting discussions. There has been no resolution. There is no question that the options that have been shared with you, and will be tomorrow, bring with them a range of costs. Some of them are significant in cost, as my friend the member for Don Mills (Mr. Timbrell) indicated earlier in the summer.

There are benefits and we recognize those benefits. I would be very interested to hear from the committee, particularly after the presentations tomorrow. I understand the Ontario Teachers' Federation and people from the Ministry of Education and the Ministry of Treasury and Economics will be here tomorrow to speak to their concerns.

I am not going to go behind any hedge to avoid the reality that people in Treasury are concerned that changes might be made in the TSF that would have government-wide implications. I know my friends in the teaching profession and others feel that is not always, in their view, a compelling case, but it is a concern repeatedly advanced by individuals at Treasury.

I can report an ongoing and quite vigorous discussion on this question within the government, particularly between the Ministry of Education and Treasury officials. There is a genuine interest on the part of the government to see whether we can responsibly meet the objectives that have been widely identified as being possible by some creative changes to the retirement pensions afforded the teaching profession. At this point there is no consensus. I would be very interested in any specific advice the committee might tender.

I will not say there is urgency, but there is a genuine priority attached to this debate simply because if we are going to make some changes, we have a situation before us now that calls out for action. We obviously have to agree on that. The government and Legislature have to agree that, for the dollars that will have to be spent, benefits are reasonably likely to be obtained.

While we have a fair measure of belief about what will happen if we do X or Y, there is no guarantee that if, for example, the reduction penalties are eliminated, you will provide for the retirement of those who want out. You hope that will happen, but when you talk to the officials tomorrow, they will probably tell you they cannot provide any absolute guarantee that it will.

There has been some experience in other jurisdictions that has caused concern for our officials in the province, whereby pension changes were made in the hope that they would accomplish certain retirement patterns, and that did not happen. I leave it at that for the time.

I am serious. I would certainly like to see something happen, but I want to make it very clear as Minister of Education that there are clear objectives I want to see met. I want to make sure that whatever we do, to the very best of our knowledge and ability, directs itself at securing those benefits.

I do not want to do something willy-nilly that is going to cost a lot of money and not effect the change and benefits we want. We are never going to have an absolute guarantee that is going to happen, but I want as much assurance as possible that it is likely. I obviously have to do all this with the concurrence of my friend the Treasurer and the executive council and the forbearance and support of the Legislative Assembly.

Mr. Chairman: Thank you. We can proceed to have each of the seven items open for discussion and then questions.

Hon. Mr. Conway: When I agreed with the chairman on Friday that we would do this on Monday, I did not have my schedule handy. We have some votes later this afternoon, and I have a delegation standing by at about 4:30 or 4:45, so I have a good 30 minutes. I do not want to run away but on the other hand, I do not want to be unduly lengthy.

Mr. Chairman: A number of the matters you raised are easily dealt with in other contexts or have been dealt with in the interim, so we do not have to spend a lot of time on them. I am not restricting anybody. If you wish to deal with the 60:40 matter and the Macdonald commission report and that kind of thing, please feel free to.

We are told we will have something on religious education in January that we can get our teeth into a bit more. The Ontario Schools, Intermediate and Senior Divisions technical issue is open-ended, so there might be a number of questions there. We have legislation on French governance, so that will be coming to us in due time. I do not want to cut off debate on that. We did have all those things on our list.

4:10 p.m.

You may also have a number of questions on capital funding. The teachers are expecting their report tomorrow, so that might be more appropriately dealt with later, but will any members who wish to ask questions on any of these items please

so indicate and I will recognize you now. We will move into ordering our business later.

Mr. Davis: I have a few questions that do not really relate to those seven items. As we went through the process this summer, one or two areas of concern were raised. I expect the minister has answered these concerns and I have missed that, or he may not quite have got his people to define them. I would like to reiterate the concerns and hope that very shortly he will write to us, which would be fair for me.

What does the minister mean by the "viability of the public educational system"? What does he mean in the new guidelines of the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education, which he endorses, by the "viability of a separate secondary school"? Again in the new PIC guidelines, what does he mean by "in the best interest of the community for public education"? Those terms constantly appear and have not been defined. I think they need to be defined.

I would like to move to the second section, having to do with this letter of December 11, where he is indicating that under the present legislation a public board can charge what it believes are the adequate costs for the delivery or sale of high-cost programs, be they technical education or special education.

If the public board arrives at a figure that the separate board disagrees with, is there an arbitrator who makes a decision on that? One indication was that the separate boards were quite prepared to pay what they call the grant regulations. You have indicated that it is open to negotiation. What happens if the technical program that the public board states is, for example, \$8,500 and your granting, as I understand it, puts it at about \$7,200. How do we solve the difference?

Hon. Mr. Conway: Through you, Mr. Chairman, to Reverend Davis, with respect to the first question, my trusted advisers remind me that there is a response on the viability question on its way to you.

Mr. Davis: I am looking forward to it with great anticipation.

Hon. Mr. Conway: Almost as much you are looking forward to that dinner I promised one hot day in Windsor. It is coming, I promise. It is not that far away either since we are going to have lots of opportunity to be together in January. I thought that might be a good way to begin the new year in Scarborough. That material is on its

way to you, recognizing what I have always said about viability.

On the determination of the item of actual cost for a program such as the ones you have described, there is no question in my mind that there probably is going to have to be some means of arbitrating that outside of the two parties involved. I think you are probably right; there will be, from time to time or place to place, differences of opinion.

The ministry and minister are going to have to play a role in adjudicating those disputes where they arise. I hope they do not arise all that frequently. Clearly, we have a role to play and we are going to have to play it. It may be that we do some of our own costing of those programs and set a series of criteria that might be used as guidelines.

Mr. Allen: I appreciate the minister coming before us and giving us his brief current reflections on the six or seven items we wanted to lay before him. I wanted to underline for him once more that these items are not just hobby horses that individuals of the committee have developed. They really are, as I am sure you are aware, very serious and repetitive questions. Since the hearings went on almost without end, these issues went on almost without end. Each one does represent very substantial testimony before the committee, as I am sure you are aware.

Some of the items do have substantial costs attached, moving back in the direction of 60:40 funding. If you were to do it in one leap, it would cost in the order of \$800 million or \$900 million. So you are into a staged program and a fairly substantial annual outlay. I think we are aware of that.

In some respects, one should say in an item like that it is as much what you convey by the direction you are moving in as by your overall end point. To put substantial amounts of money into the public school sector of public education and at least to reverse the direction to get back initially, as a target, to 50 per cent, and then to see how far you can carry it in what stages, would certainly allay a lot of the concern that is out there.

I notice in your December 11 letter with its attachments, comment after comment is (a) the excessive cost or (b) the impact on other programs where the anticipation is that there will be others asking for similar benefits and, therefore, still more cost. The important thing is the direction in which we move on some of these items, rather than accomplishing them in total and all at once.

Hon. Mr. Conway: Dr. Allen, looking at the capital funding, for example, something in me says we have a really unhappy and uneven situation at present. We have a tremendous excess of either unused or underutilized capacity and, not so many miles away, we have demands that cry out and obviously have to be met.

Something of the taxpayer in me asks before we aggravate a condition we are trying to repair in other parts of the province, because of what was done ten years ago, is there not a better way? There may not be, although the demountable schools and other such items are a part of the current equation that was not there 15 or 20 years ago.

We look at Bill 30 and the impact on women. I share the concern absolutely, but to what extent is that problem a problem because the old rule of seniority has been rigorously applied? To the extent that is a problem, and it is not the whole problem, what would this assembly be prepared to do about amending that rather sacrosanct principle of collective bargaining?

Those are issues that jump out in this debate. I do not deny the fact that in some of these areas, cost is a concern, but there are other issues, some of them fundamental to the way in which much of education has been organized for a long period of time. You know me; I am a rather cautious fellow. I do not want to take on too many sacred principles at any given time.

Mr. Chairman: In any one year.

Hon. Mr. Conway: Without, of course, the direction and the unanimous support of the committee and the Legislature.

Mr. Chairman: We would be well behind you.

Hon. Mr. Conway: In the distance, probably.

Mr. Allen: Turning briefly to superannuation, obviously when your Treasury officials look at the item and consider it as a straight budgetary contribution from the province, it looks to be of one scale. I think all of us would agree that any early retirement scheme is going to save most of the boards of this province some pretty substantial money. If the number of senior personnel happens to correspond with the number transferring from the public to the separate system, and if that were to mesh totally, there would be substantial savings for the boards.

The estimates your ministry gave us for this year of a possible high of retirees of 365 teachers in 1985 is, in fact, in excess of the number of teachers involved in the total transfer operation. Presumably, one could hard-line it and say: "No

new hiring in the system. We will just take it off in terms of the retirement factor." Obviously, that would do nothing to renew your faculty or your staff, which should be part of the exercise.

4:20 p.m.

The point I am making is that, if there are significant board savings in this proposal, there must be some way in which there can be a cost-shared approach to such a proposal that would still net-benefit the boards and substantially reduce the cost to the provincial Treasury, without letting it escape entirely.

At the same time, the superannuation fund itself is not exactly impoverished and one could imagine a three-way split draining rather lightly on each of the three parties involved.

Hon. Mr. Conway: It is fair to say, Dr. Allen, that the most vigorous part of the debate centres on the questions of what we want to do, what the objective is and the best way to meet that objective. There is some dispute among the parties to the debate, given what we all want.

There is no question of what the Minister of Education wants to do. The Minister of Education wants to provide those older teachers who, for a variety of reasons, want to leave the profession, with the opportunity to do so without a significant penalty, to provide boards with the kind of financial flexibility to which you make reference and to provide greater opportunities for younger teachers.

Obviously, you want to make sure the older teachers who want to leave take advantage of the opportunity being afforded. It would be a very unhappy situation if the very cohort of individuals for whom you devised a benefits package, for whatever reasons, chose not to opt into it. Apparently, that has happened to some degree or another in other jurisdictions on occasion.

There are other questions and I am sharing these. You can have at the individuals from the Treasury and from the ministry tomorrow. What is the best way to do it? Is it to do it within the teachers' superannuation fund? Some would argue in favour of a specific package done outside the TSF. I do not happen to believe in the latter course, but there are some individuals around who do.

From the overall government point of view, what is the impact of what we do about the teachers' superannuation fund on the public service superannuation fund? Many in the teaching profession argue, sometimes strongly, that is a continuous, perhaps not red herring of government, but often a crutch on which government leans: They say, "We cannot do

anything here because of the impact on the PSSF."

Those are the kinds of debates that have been going on with some intensity within the government. They are not yet resolved, and I reiterate my concern, given the clear objective that I feel very strongly about, and which we share in this committee. Is there anything we can do? If so, how, at what cost, borne by what parties?

Mr. Reyecraft: The minister in his opening statement, and in response to Dr. Allen's question, stated that before he could support any changes to the act, he would want to be satisfied that certain objectives were going to be achieved.

To some extent you have expanded on one of those objectives. I am not sure to what extent you have had an opportunity to reflect on others. Can you expand on things you want to see and want to be fairly sure are going to happen as a result of those changes, beyond what you have already done?

Hon. Mr. Conway: It seems to me, Mr. Reyecraft, there are a number of concerns. I will quickly touch on them again. A growing number of teachers who came to the profession in the great expansion of the early 1960s are now aged about 54 to 56 and will not meet their 90 factor. Under the current regime they face stiff penalties, much reduced pensions, at a time when many of them want to retire or at least think about leaving.

In addition to that reality, there is a concern that we are not getting the turnover in the profession that has been long taken for granted because of either declining or stable enrolment patterns. We are not seeing the rejuvenation of turnover I think we would all like to see. If it were possible to provide a reasonable retirement package for those older teachers who, because of their situation, cannot retire now without significant penalties, we could provide an incentive for those who want to leave to do so without those kinds of penalties.

Boards would clearly have more flexibility and hire the younger teachers, in many cases at much less cost simply because of the experience factor. That could be done as well as providing some real recognition that a lot of the young teachers are female. It would provide greater mobility and advancement for women teachers within the profession.

Those are the kinds of objectives I want to meet but clearly, and I reiterate, I want some reason to believe that an early retirement package, if that is what we can call it, will bring about that kind of change. I would be very

disappointed, to be quite blunt, if we allocated X number of dollars to do that and it did not happen; and it can never be absolutely guaranteed. I have some reason to believe that a lot of those individuals who are indicating a desire to leave would leave if the penalties were not as they are now.

I am trying to recall, and tomorrow with the officials here you can inquire, about some of the provinces that had a kind of golden handshake. One was Nova Scotia. The data is not all in, but it is not certain that did what people expected it to do.

Mr. Chairman: The other thing is in the context that we can see that exacerbating the problems in the public system, specifically if there is a greater reduction in numbers in that system and a greater impact on the numbers of teachers in it. More young teachers would be leaving and the average age would be even higher again.

Within that context, especially how we, as a committee, were looking at this and perhaps in our political terms, we could provide some very direct concerns people have about how you transfer people from one system to the other and all the problems around volunteerism and the things we talked about. This could be the most practical solution to that problem. It would take a lot of weight off whatever arbitration system was established.

Hon. Mr. Conway: There are two things I would add. First, I think there is a case for some serious examination of the retirement provisions within teachers' superannuation, quite apart from extension. The pattern was there and, given the particular situation of the late 1950s and particularly the early 1960s, it has come home to roost 25 years later and now we are faced with that in spades.

I would not want to tie the matter too closely to separate extension, although I think there is a relationship to one degree or another.

The other point I wanted to make has slipped my mind; I will have to try to recall it.

Mr. Davis: I simply want to state with reference to the provision of examining the early retirement process that there are some boards which have programs. One of the problems you are running into now is the Supreme Court case which has indicated a person does not have to retire when he is 65. Unless you can somehow—and I do not think you can—mandate that when you reach 65 you have to leave the educational system, then there is never going to be a guarantee that the additional funding you place

for early retirement will be used because that will depend upon the individual and where he is in his lifestyle at that time.

All we can do is look and see if there are appropriate mechanisms that we can introduce that will encourage individuals at some time between the ages of 55 and 60 to take early retirement.

Of course, you are well aware that all you have to do is mandate the pupil-teacher ratio down to something like 12 to one and you will certainly create all kinds of teaching positions in the educational field.

4:30 p.m.

Hon. Mr. Conway: I have now thought of the second point and it was simply this: There has been a suggestion made, and made in good faith, that for a limited period of time certain things should be done. I want to be quite honest, and I appreciate what has been said, but in these kinds of matters I must tell you that I am not particularly hopeful that a reduction, or an elimination let us say, of penalties for a fixed period of time would really come to pass.

I think whatever we do is probably going to be done with some permanence, because I just did my 10 years around the Legislature. It is like a pilot project. I do not think I have ever known a pilot project that, once on the ground, did not take on a life of its own and I am not really complaining about that.

Mr. Davis: Are you going to give us a course on staying around forever?

Hon. Mr. Conway: It is a brave new world in which we find ourselves, Mr. Davis. After this year, I will make no predictions. It is just a point that has been made and it has been made in good faith and I accept that certain things could be done on a limited basis.

I must say that, just speaking personally, I do not necessarily expect that, if we move, it will not carry with it some longer-term consequences.

It is like the members' retirement allowance. I wonder sometimes if changes were to be made whether they would affect the results that were expected or imagined or whether, if they were introduced for a few years, they would ever be reversible or whatever. I speculate, perhaps mischievously.

Mr. Chairman: I think so. I thought that maybe I could make a few recommendations to you on how we might proceed. The French governance is obviously going to come before the committee as a bill, or if not before this committee, before certain members of this

committee, with the critics involved obviously, so we do not need to make any decisions on that recommendation or the concern that the committee had raised at this time.

I figure it would behoove us to await the arrival of the Macdonald commission in early January and have a look at that and see in what direction the minister wants to go with respect to public hearings of one kind or another or turning things over to us to have a look at, however they would like to go, so we can leave that until that eventuality and the steering committee can have a look at it then.

The same would go for religious education credit courses and the fact the minister thinks that some time in January we may see something there as well and, given how full our plates are, that is something I think we can wait to see and not have to make any decisions about.

I would suggest the report on the effect on women in the teaching profession would be something we would wait to see in the context of superannuation. Later we may wish to do something more specific on that, but again we could put that over to the steering committee for later consideration.

There are two items that I am not as clear on and on which I would like some suggestions. It is the whole question of the technical studies and the effect of the OSIS curriculum guidelines on technical studies, etc. It seems to me, from some of the things the minister is saying, there is an ongoing monitoring group.

We are maybe a little premature as a ministry looking at that at this stage and perhaps should be considering that as we get further on with our business in the spring and decide whether we want to take that on as a project with other things within our social mandate as things we look at, but I have just one suggestion on that.

On the question of capital funding, again I do not know what you would like us to do on that as a committee. It sounds like an ongoing problem and we will have a budget in the spring and I do not know if you would like the committee to try to do something before the budget in the spring or whether you would like us to await the budget in the spring and then do something on it after.

So on those two matters I would really—

Hon. Mr. Conway: If I could just add two things, particularly to my two critics, we have estimates some time between now and the end of March.

Mr. Davis: Will we?

Hon Mr. Conway: I hope so. I am in your hands; I am ready whenever you are.

There might be some benefit—I just put this out—some of these are perfectly good discussion points for normal, natural estimates, to the extent that they are ever normal or natural. What we might do, and I do not want to take away the opportunity for my friend from Scarborough Centre (Mr. Davis) to have at me for all the inadequacies of my tenure as minister, or my friend the member for Hamilton West (Mr. Allen), but assuming there is a little time left over there might be some benefit, particularly since we will have to do that in the next three months, to look at a couple of these things.

I think, for example, that the Macdonald commission is fundamental. There might be some benefit in setting some time aside either in this committee or in the estimates, and having that group come and spend a two-hour period or whatever to speak to that particular report and how it deals and will deal with some of the fundamental questions in educational finance. You may not want to do that but that is one possibility.

I would not be disappointed if we could, particularly the three of us, decide on how we intend to do the estimates. Perhaps if there is consensus we could take a few items and prepare for them to make it more meaningful.

You may not wish to do that. We could have unstructured estimates, which is fine with me as well.

Mr. Chairman: Speaking for other members on the committee who are not critics in your ministry, I think perhaps there might be a feeling that some of these matters would be best dealt with in an estimates fashion rather than by all the members of the committee who may wish to order other things for our other time outside estimates. Perhaps the three of you could discuss whether you think some of these matters would be as easily dealt with in estimates. If not, we can always come back to the steering committee and make a request for time and order that as the steering committee sees fit.

The item we will deal with tomorrow is superannuation. We have people from the ministries coming in and we have the Ontario Teachers' Federation coming in. I imagine we will take the full time from orders of the day right through to six o'clock, at least I will be surprised if we do not, with the brief and asking questions of those two groups.

On Wednesday afternoon it would be my hope, I have not talked to other members of the committee, that we might actually come up with some recommendations to send on to the minister

on superannuation, to at least give him the benefit of our opinions on this important subject with the goal in mind that he has already mentioned.

If you are thinking in terms of the ordering of business for Wednesday, it would be very handy to have some motions so we can focus the debate around motions. I suggest that to members from all parties. We will just take them as they come in and go from there and try to gird you for further battle with the Treasurer in terms of how this might be handled.

Hon. Mr. Conway: I am happy to be here today and I do apologize for perhaps not being more thorough on some of these issues. To be quite frank, my time in the last while has been particularly taken over by the governance legislation. At some point, friends, we have to find some time to deal with that matter.

I look to this committee's calendar and I see a fairly busy first seven or eight months of 1986. I do not want to put my critics in any disadvantaged position but if you want to think a bit about those estimates, if we could agree on a couple of things, it might be useful as we then could begin to focus on resources and spend the time profitably with a fairly detailed analysis.

Mr. Chairman: Anyone who has been through as many estimates as, for instance, you and I have, would say there could be a lot done to improve the use of estimates time. Maybe we can come up with a couple of suggestions, if I might. Bring your compendium of resolutions when we deal with superannuation because there is the whole section there on superannuation suggestions. That might just be a very useful reference for you. That would be easier than bringing the whole big Ontario Secondary School Teachers' Federation presentation. It is synopsized in that compendium.

The OTF has a small brief with a few recommendations that they will be bringing for us. Those of you who are going to make motions on Wednesday, please bring extra copies so there is one for each party. That would be very helpful to the clerk.

You will recall we were talking about holding an Ontario Institute for Studies in Education

meeting on Wednesday, January 15. We are still planning to proceed along those lines but you will notice on the orders for this week there is nothing about the pharmacy bills. Therefore, I am not sure if they are going to be ready to be ordered out for the first week when we come back or not and whether we will be able to do them.

I wanted to make you aware that there may be a problem with us doing the Ontario Institute for Studies in Education business on the 15th, depending on when the pharmacy bills move. We said that we would shift the OISE matter, depending on the legislation we had. It still may be possible to put that one day in, though, just on the OISE thing.

I thank those members who have furnished myself and the clerk with names of people we should contact for the OISE meetings.

Mr. Davis: Did the member for Eglinton (Mr. McFadden) give you any?

Mr. Chairman: No, I do not think so.

Mr. Allen: I wish I had thought of this earlier. I wonder if there is a board we can still reach within our geographical range, in the next couple of days, that has instituted an early retirement program.

Mr. Davis: Metro has done it and North York has done it.

Mr. Allen: I would like the benefit of their response. Perhaps we could call North York in the morning to see if they could get somebody down to us.

Mr. Chairman: We have OTF people here in the room with us at the moment. I wonder if they might be able to give us practical information on where early retirement plans are operating in the province as part of their presentation to us. We can try to make contact with those specific boards, but perhaps we could leave that until after this meeting and discuss it with some of the people in the room to see what the best way of doing that would be.

I understand the point you are making. It is a good point.

The committee adjourned at 4:43 p.m.

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Monday, December 16, 1985

Education Amendment Act, Bill 30, Mr. Conway, adjourned

Adjournment S-2297

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- Conway, Hon. S. G., Minister of Education (Renfrew North L)
- Davis, W. C. (Scarborough Centre PC)
- Johnston, R. F., Chairman (Scarborough West NDP)
- Reycraft, D. R. (Middlesex L)

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Hansard

Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament

Tuesday, December 17, 1985

Afternoon Sitting

Speaker: Honourable H. A. Edighoffer

Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Tuesday, December 17, 1985

The committee met at 3:46 p.m. in room 151.

EDUCATION AMENDMENT ACT

(continued)

Resuming consideration of Bill 30, An Act to amend the Education Act:

Mr. Chairman: I see a quorum. I call the committee to order.

Today we are going to be dealing with superannuation questions flowing from Bill 30 as raised initially with the committee by Mr. Allen. I am not sure how we are going to do this. We have two or three presentations: the Ministry of Education, the Ministry of Treasury and Economics and the Ontario Teachers' Federation. Are the ministries coming up separately or together?

Mr. Kidd: We will come up together.

Mr. Chairman: Okay. At the end of the day yesterday, Mr. Allen raised the point that we should get a board in here to see how things have gone. I will circulate to members, thanks to our good friend from the Ontario Secondary School Teachers' Federation who has been with us throughout our years, a little summation of what the Halton experience is. He has put together for us a synopsis of what has taken place in Halton as well as some comments from the Halton president on the effectiveness of the program. I will ask the clerk to bring that around for you.

Mr. Kidd, perhaps you could introduce your colleagues to us and then start the presentation you were going to give to us several weeks ago.

Mr. Kidd: Thank you. On my left is Mr. Ilkiw, director of the pension and income support policy branch in the Ministry of Treasury and Economics. On my right is Sandra Lane, who works with me in the Ministry of Education.

Today we want to address the superannuation problem as it impacts upon the Ministry of Education and as we see it in the educational system. I understand you have had a number of presentations from various groups on these issues. The Ministry of Education appreciates the problems the profession is experiencing due to an ageing of the profession, lack of mobility, declining enrolments, a redundancy surplus, curriculum changes and lack of openings for graduating teachers.

I have two or three slides to present to the committee, with its indulgence. I will focus on the problem as it relates to the profession and, in particular, with relevance to the Teachers' Superannuation Act.

Here is a chart that demonstrates the age profile of all our contributors from age 55 to 65-plus across the top and, down the side there, years of service. The heavy line you see coming down vertically on the right-hand side is age 65. That step you see going down from the lower right-hand corner to the bottom left is the 90 factor.

The difference in colouring goes from dark to light. The dark indicates a heavier concentration of teachers in that segment; the light colour demonstrates very few teachers in that area. These are data as of December 31, 1983. It exemplifies the problem we are experiencing with teacher distribution.

3:50 p.m.

The dark areas are concentrated up in the top left-hand corner, a heavy preponderance in that upper left-hand corner, with a secondary darkening down in the right-hand corner. We are concerned about the upper left-hand corner. These are teachers who will never reach what we colloquially call the goal line. The goal line starts functioning from the 90 factor. They are never going to get there. They have to cross the age 65 line before they qualify for an unreduced pension.

All people in the left-hand side of the chart are subject to penalties if they retire now. Once they cross the line, the penalties are abolished. You will see that the dropoff in participation after you cross that goal line is remarkable. Once you get to 65 or the 90 factor, you retire.

The ones in the bottom left who are approaching the 90 factor will be gone soon. The ones in the upper left—the area that looks a little bulged—are not going to get to the 90 factor. They are therefore subject to penalties unless they stay in the profession until they are age 65.

We have done a similar chart for 1984, and it can be seen from this chart we have had some changes. The end of December 1984 sees the first incidence of the recent amendments to the Superannuation Adjustment Benefits Act coming through. You will see that top left-hand bulge

has moved down a bit. They are slightly closer to the 90 factor, but there are still problems in that it is not an even distribution.

We have further data here. We split this chart between male and female. If you look at the male chart, you will see there is a block there but it is not highly defined. If you compare that to the female chart, the female chart shows a different distribution. That bulge is still there. We attribute that bulge to the fact that females have taken time out of the profession for maternity and pregnancy purposes sometime back in their career. They therefore do not have the same length of service as their male counterparts.

I contend the distribution in the male chart is attributable to a large extent to those people who came into the system in the 1960s from vocational high schools at relatively older ages, between 40 and 45. These are the people you see portrayed as being in that problem area, with between 15 and 21 years' service. Again, they are never going to get to the 90 factor or the goal line.

These are the two areas. What we in education would like to see is an even distribution among the teaching profession. But, as I say, there is not an even pattern here. We have problems and these problems are going to be with us for some time unless some action is taken to alter the distribution on these charts.

Mr. Chairman: Perhaps if there are any questions at this point we will take them while you have the slides up so you can refer back to the slides.

Are there any questions members have about what they are seeing? Do you understand all the figures?

Mr. Allen: Do you have any numbers for those clusters? How big are they numerically?

Mr. Kidd: Yes, there is a number in each of the boxes. We showed it this way because when you look at the numbers you cannot get the overall feel for the fact. There are 6,700 teachers contained in the unreduced portion of that chart. There are 2,300 over the goal line, for a total of 9,339 contributors. As I say, 6,700 are on the reduced portion of the chart; 2,300 are on the unreduced portion.

There is a little anomaly in that chart. You will see that the bottom line shows a very dark area, those with more than 35 years' service and, in some cases, more than 65 years of age. We attribute that to a number of our religious instruction teachers, particularly in the separate school system, who have carried on in their vocation after normal retirement age.

Mr. Chairman: Further questions? I suppose we can always come back to the slides if you would like. You may continue.

Mr. Kidd: We in the Ministry of Education do acknowledge there is a problem here and we have taken steps. The recent amendment to the act, which came into force in September 1984, has made some impact on the time rates. I think the comparison between 1983 and 1984 shows that. However, we are looking at other methods in conjunction with our colleagues in Treasury and in discussions with the federations. Some further movement in that distribution could be effected.

We are looking at the maternity leave provisions. There are two problems there. One is the fact it is for only six months out of a 10-month school year, and normally the leave of absence in the past was a year. There is also the triennial stipulation that one could be recognized to be pregnant only once every three years. I think in this day and age that is an anomaly.

We are looking at other provisions. For example, there is the recognition of allied war service for some of our senior teachers. We are also looking at some teachers who were previously in the private system in the French schools before becoming integrated with the system. They were in private schools, they were not designated, and therefore they lost that service. These are three areas we think could make an impact on the group of teachers we are talking about, to get them closer to the goal line and to encourage early retirements.

We are also aware there is a proposal which is receiving a lot of support, the temporary abolition of the reduction factors. As you see, there is a problem in that area. I think the abolition of these factors would substantially encourage a number of the 6,700 to retire. Keep in mind these are 1984 data; there will be more in that category now that we are nearly out of 1985, so numbers will have increased and will continue to do so over the next few years.

There would be a significant retirement rate. Once you get over that goal line of 90, the numbers drop off considerably. You are encouraging early retirement by moving that goal line back by reducing the factor so the 90 does not become the major barrier it is at present.

There are other alternatives which could be employed outwith the plan. Even if the committee had to approve of an abolition of the reduction factors for a limited time, there are a number of hurdles which would still have to be taken away. For example, the federal Department of National Revenue has an interest in the plan for registra-

tion purposes. Discussions would have to be held with them. The amendment would—

Mr. Chairman: Could you explain that?

Mr. Kidd: Maybe Mr. Ilkiw could explain that a little more. It is a technical, complex matter.

Mr. Ilkiw: Revenue Canada has its pension guidelines. Pension deductions to pension plans are tax-deductible, and Revenue Canada has specified a maximum amount of pension one can accrue. I believe it is about \$60,000 a year under a particular stipulation. Once you remove the reduction factors, what happens is that, if you look at the capital value of the amounts involved, they start to exceed the maximum amount of tax-sheltering allowed under Revenue Canada rules.

Revenue Canada pension rules, as you are probably aware through some of the proposed tax changes in the May federal budget, are under constant review and examination. In our initial discussions with Revenue Canada, it has alerted us that it would like to look closely at any proposal to remove the reduction factor, because initial reaction is that it would not be permissible. But there is no sort of final approval.

4 p.m.

What it illustrates is that there are a number of different players involved in making sure everything is correct. The consequence of contravening the Income Tax Act with respect to this is that the plan is deregistered. What this means is that all contributions teachers make to the plan are no longer tax-deductible. It is a very blunt instrument and they are reluctant to use it, but it has been used in the past.

Mr. Chairman: A sledgehammer.

Mr. Ilkiw: There is a general concern on Revenue Canada's part that the tax assistance afforded public servants through their pension plan not be excessively generous relative to the tax assistance provided to people in the private sector, because the plans in the public sector are generally the most generous of all. We are pushing against that line. There is an envelope there, and at some point you break the envelope. That is their first signal.

Mr. Allen: I was not sure whether I heard correctly. Revenue Canada appears as though it might view the removal of the reduction factor as permissible or as impermissible?

Mr. Ilkiw: Not permissible. I do not want to tie Revenue Canada to some kind of official opinion when it is not there. We have had discussions with the Ministry of Education in

looking at some of the options as well as alternatives to using the plan, and the first thing we do is to ask whether it is permissible under the Income Tax Act. It is a binding constraint, so we just phone up and say: "We have this problem. This is roughly what it is. What do you think?" They say, "At first pass, it does not look as though it is going to go, but map out the details a bit more." So there is that consideration, and there is the other consideration that there may be better vehicles or more appropriate cost-effective vehicles than using the pension plan for that purpose.

Mr. Allen: Does that hold equally for a reduction of the reduction factor, or is it the elimination that is the problem?

Mr. Ilkiw: The actual specific question I asked was about the elimination. There might be an integrative process back and forth.

Mr. Chairman: Let us continue.

Mr. Kidd: That is one of the hurdles that would have to be overcome. Another, of course, is the cost of such an elimination and who would bear the cost. There are two alternatives here: one is the fund and the other is the consolidated revenue fund. Another one is that it would require a change in legislation, not a regulation change, as it is implicit in the legislation itself. As I say, there are a number of hurdles that would have to be overcome to implement this.

Nevertheless, on the basis of the retirement patterns of teachers who reach the 90 factor or age 65, we estimate that if you did this, perhaps 4,000 contributors could elect for early retirement. We see a number of benefits accruing from this. It would help the school boards to address the problems of teacher redundancy due to declining enrolment; provide school boards with additional flexibility in hiring teachers according to discipline; assist the school boards financially, as teachers leaving the system would have reached grid maximum and teachers entering the system would be at the lower end of the grid; facilitate mobility between the public and the separate school systems, which this committee is very interested in; and create the effect of rejuvenating the system by creating openings for younger teachers. You should be aware that perhaps only one third of teachers completing teachers' college find teaching positions at the moment.

Mr. Davis: Do you mean one third find teaching jobs in Ontario, in Metropolitan Toronto or all through Canada?

Mr. Kidd: Teaching positions all through Canada.

Mr. Chairman: May I clear up something? You said you thought 4,000 could opt for the plan. Over what period?

Mr. Kidd: Perhaps over a three-year period.

Mr. Davis: You indicated that the retirement process of those 4,000 would help teacher redundancy due to declining enrolment. Can you enlarge on that?

Mr. Kidd: To help address the problem of teacher redundancy, as you are aware, a number of the systems are ageing rapidly. For example, the seniority list in North York is well over 10 years. The numbers are going down and people are being laid off by seniority.

Mr. Davis: Are they being laid off or do they go to the pool?

Mr. Kidd: What pool?

Mr. Davis: The surplus pool.

Mr. Kidd: I am not aware of a surplus pool.

Mr. Davis: I am not sure what other boards do. The reason I ask the question is that in many jurisdictions, since we have had people before us on Bill 30, we have found that Metro is not unique in the creation of a surplus pool. A teacher with 10 years' teaching experience, even though he is declared redundant to his system, goes into the pool. He either finds employment with the other boards or is used as a supply teacher, but he still receives a salary. To my knowledge, and I always stand to be corrected, that individual continues to be in the pool for ever, although there is a cap on it.

I think two or four per cent of the teaching enrolment for each board goes into the pool. The teacher who is declared redundant to a school system in the Metro area, and I believe in one or two other jurisdictions across the province, is the new teacher who is hired and terminated on the same day. Those teachers who have built seniority are, to my understanding, not terminated. They move into a pool.

If you were to have early retirement, would it eliminate that problem? I am not sure.

Mr. Kidd: I am not sure either because there is no guarantee of a job out of that pool. Within the pool, there are different disciplines. One of the impacts of implementation of the Ontario Schools, Intermediate and Senior Divisions curriculum guidelines has to be on relocation. The selection by the students is somewhat different from what it was previously.

Mr. Davis: Some of your technical teachers are in a pool.

Mr. Kidd: That is correct.

Mr. Davis: But your tech teachers are protected.

Mr. Kidd: Some of them are and some of them are not.

Mr. Davis: To my knowledge, and I stand to be corrected again, no tech teacher has been totally fired from a board unless he has retired. They go into that pool. The problem is they may not have a teaching job, but they are paid. Boards use them in different areas—I do not want to give all the areas they are used in, but they are used. The younger teachers certainly are terminated. There is no doubt about it; they are terminated on that basis. You said it would help that problem. I would like to know how it would help that problem across the province.

Mr. Kidd: I am not familiar with the workings of the pool, but I know we have had a number of teachers who are terminated at various stages in their careers. They might not be permanent teachers. One of the other problems is that a number of the tech teachers you are talking about do not having teaching certificates to enable them to move into other disciplines.

Mr. Chairman: It would be wise of you to re-ask that question of the Ontario Teachers' Federation when it is before us. They may have specific kinds of responses to it. One thing that would be different would be that if you could take early retirement, you would not have to worry about being on a part-time teachers list. You could find out from OTF perhaps.

Mr. Kidd: One of the other advantages is that many boards would then be able to implement their affirmative action programs and many have such programs, but the promotion of women is stalemated if openings do not occur in the senior ranks.

We mentioned the particular problem of the vocational and technical teachers in the system and we think this would help address that problem because they are exactly the people on whom we are trying to focus the action. It would also alleviate some of the discrepancies regarding women teachers who have taken time off for maternity leaves because of child-rearing and other family obligations.

From the Ministry of Education's point of view and from an educational point of view, if the province is interested in the excellence of our teaching system and the quality of education

being offered, we think it is a positive step that should be taken to help the educational system.

Mr. Chairman: Thank you. Would you like to add something from Treasury's perspective, Mr. Ilkiw?

4:10 p.m.

Mr. Ilkiw: Treasury agrees with the objective of the rejuvenation of the teaching profession as well as the potential for dislocations because of Bill 30. The perspective we bring to bear to the committee and to the general discussion, from my perspective as director of pension policy, is that it is a generally accepted axiom in the pension policy area that pension plans should solve pension problems not employment problems, and that a pension plan should not be bent out of shape in order to achieve a transitory solution. Often the revision you want does not prove to be transitory because once it is in place, it is difficult to remove.

Second, from Treasury's global perspective, there is a concern about cost-effectiveness. Given your objectives, can it be met in a more cost-effective manner? We think benefits to encourage early retirement outside of the plan are an alternative that should be considered by the government.

There is also the concern that whatever scheme is developed, be it within or outside the plan, there is what we call public sector/private sector comparability. You have to make sure the benefits that the taxpayer may pick up in the public sector are comparable to the benefits private sector employees would use to solve essentially the same problem.

Also, there is a broader concern that establishing this precedent to the Teachers' Superannuation Act would wash over into other public sector plans and be much more expensive. The Treasurer (Mr. Nixon) has approached the Minister of Education (Mr. Conway) and suggested that the Civil Service Commission, which has experienced an early retirement program, plus Treasury and Ministry of Education staff, sit down and in a very short period of time develop a spectrum of options, compare the respective costs of these and present them to the government for its consideration. For example, they could say: "Here are the objectives. Here are three or four different alternatives. Here are costs associated with it. Here is your degree of efficiency in trying to achieve your goal."

I would suspect, just from the initial analysis, that on the cost side of the spectrum, the amendment to the Teachers' Superannuation Act is going to be the most costly, and that is

assuming you can get it by Revenue Canada. We have to make sure that whatever package is put before the government for its consideration is a viable package. We would not want to bring something forward and not have all the "i"s dotted and the "t"s crossed, raise expectations and then find somebody else in the game coming in and saying we cannot do that. This causes confusion and affects people's planning.

That is the suggestion the Treasurer has brought to bear on the process. We hope we will have a positive response from the Minister of Education and that the process can be set up as quickly as possible.

Mr. Chairman: Can you tell us how we can meet the same goals through benefits outside the plan?

Mr. Ilkiw: One option is that you could purchase additional pension benefits by setting up a particular fund. Again, I would rather not give you specific ideas, since Treasury is not the expert on early retirement programs. That would be the Civil Service Commission.

All people seem to have latched on to is the pension plan. It is an obvious, attractive vehicle that is in place, but no time has been spent on examining the alternatives. Costs in an unfunded liability could go as high as \$600 million, which the taxpayer may be required to pick up.

Mr. Chairman: What was that based on?

Mr. Ilkiw: Just so the committee has a good idea of the numbers that are involved, some initial calculations were done for the Teachers' Superannuation Act. Depending upon the take-up rate, if you expressed it as an unfunded liability—that is, what the present value is if there is take-up—this capital sum would range from a low of \$62 million to a high of \$402 million.

What happens in a pension plan is that you realize this liability and amortize it over a 15-year period. If you express it in annual payments, the special payment could range from a low of \$10 million a year for 15 years to a high of \$64 million for 15 years to amortize the unfunded liability. The best actuarial guess and the middle-line guess is an unfunded liability in the basic plan of \$250 million with annual—

Mr. Chairman: What is the pickup you are presuming for that?

Mr. Ilkiw: We look at what the maximum pickup would be and what the normal additional pickup would be and pick the middle line.

Mr. Chairman: Is there a number of teachers that you would presume for that?

Mr. Ilkiw: We have an actuary here who could perhaps answer your question specifically, but we just calculate what the maximum is, and we essentially average the two as a good guess.

Mr. Chairman: I was just wondering how it tied in with the 4,000 potential pickup we were talking about before.

Mr. Kidd: There are 6,700 people in that particular group at the moment.

Mr. Chairman: So the presumption of \$402 million was based on all 6,700 participating.

Mr. Ilkiw: Yes, \$402 million.

Mr. Allen: Do you have those particular options charted for us? I find it rather difficult, Mr. Chairman.

It was not exactly clear, for example, which particular program or plan you were referring to. Were we talking about a reduction to an 85 factor or were we talking about a certain plan with a certain degree of reduction of penalty?

Mr. Ilkiw: It was about the cessation of the reduction factors for 10 years.

Mr. Allen: Cessation of the reduction factor totally.

Mr. Chairman: For 10 years.

Mr. Ilkiw: Yes, for 10 years. That was just a first-pass, ball-park estimate in order to start getting down some of the points along the spectrum.

I understand it has been proposed that the government pick this up completely.

Mr. Allen: That would affect 6,700? and that is \$402 million maximum?

Mr. Ilkiw: Yes. What is not included is the fact that those benefits would be escalating. That figure is without considering the cost of escalation.

Mr. Chairman: When you first came up with this \$600 million—

Mr. Ilkiw: I think I misspoke there.

Mr. Chairman: Okay. That does not include the escalator then.

Mr. Ilkiw: Pardon me. If you did bring in the escalation, it would go up to about \$625 million.

Mr. Chairman: Okay. I thought that was the case.

Are there documents you have been working on together with this kind of information something you could share with the committee?

Mr. Ilkiw: I just have scribbles. The simple answer to that is no. We could prepare something, but it would take some time. The simple answer would be no.

Mr. Chairman: Has the kind of communication that has been going on between the ministries at this point been between Mr. Kidd and yourself, along with discussions and doing rough estimates and that kind of thing?

Mr. Ilkiw: Yes. As I mentioned earlier, the Treasurer did write to the Minister of Education last week, recognizing the urgency of the matter.

Mr. Conway, to my knowledge, has not responded yet, but we have been in communication with Mr. Kidd, Miss Lane and officials of the Ministry of Education, hoping to start that process and bring the respective experts to the table.

Mr. Chairman: Mr. Davis, then Mr. Reycraft.

Mr. Davis: Either one of our guests may want to try this.

Did you examine any of the type of early retirement incentive plans that private industry uses? I am thinking, for example, of IBM Canada Ltd. where, if I understand it correctly, an individual at a specific age—whether it is 55 or 56; that is a given and we can play with that—is given either one or two years' full salary and then the penalty clauses kick in, but they receive full benefits at 60.

Did you do any figuring around that area to see what we could be looking at as an option?

Mr. Ilkiw: The simple answer to that is no. The only thing people seem to have latched on to is the pension plan, just because it sort of sits there staring one in the face.

What concerns me, as director of the pension and income support policy branch, and collectively the Treasury, is that the other alternatives have not been examined. We have chatted with the Civil Service Commission about this. Indeed, they had this experience in the past. They actually have advisers from the private sector who handle early retirement provisions in the private sector all the time. That is what you have to bring to bear, so you get the full spectrum and make a more informed decision.

We are just looking at one point along the spectrum. That may not be the best point or the point where the government wants to be.

Mr. Davis: Could we get that information? Is there a stage where the civil servant has an early retirement benefit incentive plan?

Mr. Ilkiw: I am saying they have expertise on early retirement provisions. What has happened is that the government and Management Board of Cabinet or the Civil Service Commission, Ministry of Treasury and Economics and Minis-

try of Education officials have not physically sat down and started that process. That process will start in the first week of the new year. Everything still has to be marshalled.

4:20 p.m.

Mr. Davis: Would I be correct in assuming if there was an early incentive plan that came through that avenue, it would be applicable to teachers? Would we be wiser to wait until we get that kind of information before we make recommendations to the minister?

Mr. Chairman: It is possible. I am not sure if it is directly applicable or not. Obviously, there are parallels between public servants' and teachers' plans, as has always been said in the past, but I am not sure if civil service expertise on this is as great as you are saying it is. I am not aware of it, if it is.

Mr. Kidd: The public service did have an early retirement plan just recently. One scheme was a volunteer retirement option which gave those who had a full pension or an unreduced pension an opportunity to leave before the age of 65 based on one month's salary for every year they were short of 65.

The Public Service Superannuation Act was recently changed to allow those members whose continuous service predated 1966 to obtain a three-year guarantee or three-year averaging on their pension up to age 65. These changes went through the House last year. Those are two examples of early retirement or volunteer retirement options which were in the Public Service Act.

If I could answer your previous question, Mr. Davis. We have not proposed such schemes because we are in the midst of discussions with the Ontario Teachers' Federation about the plan. The biennial review committee is currently sitting. The teachers have tabled 27 different proposals for changes they wish to see in the plan. We respond to them rather than initiating proposals for the reaction of the OTF. We are responding to their particular desires and wishes rather than promoting our own.

Mr. Chairman: We can make a judgement on what you are suggesting after we have heard some more evidence.

Mr. Kidd: That is fine.

Mr. Chairman: If we look at the OTF brief that has been distributed to us, it does refer to some other plans. I have specifically only focused on three options. They would want to speak to that and leave aside at this point some of

the other matters they are discussing with the ministry about the plan in general.

Why do we not wait until the end of the day or tomorrow and make some determination about where we would like to go next on this?

Mr. Reycraft: It seems to me that the concern about precedent and the validity of that concern somehow has to be rationalized now on the basis of similarity between the plans. Mr. Kidd has talked about the three-year average that was implemented in the public service superannuation fund. Could you tell us more about how you think the plans might be affected by the precedent compare to the teachers' superannuation fund?

Mr. Ilkiw: The public service plan and the teachers' plan are reasonably comparable. They both have a five-year final average. The teachers' plan in actual cost is more expensive because of the nature of the population—there tend to be more women and longer service. The benefit structures are reasonably parallel. They are both indexed through the Superannuation Adjustment Benefits Act escalation fund.

The principle difference would be the characteristics of the people they cover. There are differences in the plan designs, but the overall principle structures compare.

Mr. Reycraft: Are they both based on the 90 factor? You said they are both based on a five-year average, but you mentioned that the PSSF has just started the three-year. Is that just temporary?

Mr. Ilkiw: Yes.

Mr. Kidd: Those contributors who have joined the plan prior to or have continuous service could transfer service from other plans under reciprocal agreements. Those whose continuous service predates 1966 do have a three-year average. That is the population we were talking about earlier this afternoon.

The PSSF does also have a 60-20 rule—60 years of age and 20 years of service and retirement without penalty. The teachers' plan does not have that provision. It is simply age 65 or 90 points. There are little wrinkles in the other plans for the age group we were talking about. It is the same with PSSF; some of their plans, but not all of them, call for the reduction or abolition of penalties prior to 90 or age 65. Ontario Hydro has a 60-25 rule and HOOPP has a 60-20 rule. So there are temporary and permanent alleviations in some of the other plans which are not the same and not in the teachers' plan.

Mr. Reycraft: Does the PSSA have the same five per cent per point reduction penalty as the PSSF?

Mr. Kidd: No, it does not; it has a five per cent reduction from age 65 or, if you are in that three-year guarantee period, it is a five per cent per point reduction from age 60.

Mr. Chairman: What has been the takeup so far on the changes in the public service plan? Has there been much enthusiasm for that?

Mr. Kidd: I do not think I am competent to answer that one; I do not have the data on it.

Mr. Chairman: Where would we go for it?

Mr. Kidd: The Civil Service Commission would be able supply those data.

Mr. Ilkiw: Excuse me. I think one of my staff members here may have the information.

Interjection.

Mr. Chairman: I will have to ask you to repeat that, if you will, so we can get it on the record. The mikes do not extend far enough back to catch you.

Mr. Ilkiw: This is Sherry Malloy, a senior economist from my branch, the pension income support policy branch, in the Ministry of Treasury and Economics.

Ms. Malloy: Mr. Ilkiw has the details on a piece of paper but the public service one, which was opened a few years ago, was open for a window of six months only. At that time, I think they had a takeup of about 33 per cent of the people eligible, but the early retirement package was designed for people already eligible at the 90 points.

Mr. Chairman: In a six-month window, they picked up 33 per cent?

Ms. Malloy: Yes. They thought it was quite effective. I do not know if Mr. Ilkiw has the details on the Hydro plan.

Just to confirm the details on the public service incentive plan, it was designed for individuals who already met the 90 age and service factor and were eligible to retire on a full pension; it did not even allow for people just about at the 90. Of the 979 eligible management employees, 385 opted to participate in the program; it was the same thing for the union.

Just looking quickly at Hydro's plan, they had a similar one in 1983, and I think they had a takeup rate of about 50 per cent.

Mr. Chairman: Was it a similar sort of window or longer?

Ms. Malloy: It was a short-term window as well.

Mr. Chairman: And it was for people who had already got to 90?

Ms. Malloy: They had to be age 55 and have 25 years of service; it was a little more generous than the public service plan.

Mr. Chairman: That was in 1983 as well?

Ms. Malloy: Yes; from January to August of 1983.

Mr. Ilkiw: I wonder if I could emphasize my point again and have the comfort of knowing I made it a couple of times.

What is missing now is the other part of the spectrum. It is Treasury's concern that the government be aware of the full spectrum of cost-effectiveness in trying to meet everybody's goals: the government's, the teachers', education's and, of course, the taxpayers' concerns. We hope we can fill in that part of the spectrum, give a nice perspective and say: "Here are all the options. Comparing the private and public sectors, here is your expected efficiency factor. Which point along the spectrum do you want to be at? Just do not look at one."

4:30 p.m.

Mr. Reycraft: You mentioned you expected Ministry of Education revenue people would be meeting the first week in January to discuss this.

Mr. Ilkiw: Ministry of Education representatives and the Civil Service Commission will be meeting, assuming Mr. Conway agrees with the proposal.

Mr. Reycraft: What I am interested in is what kind of time frame you are looking at when you talk about filling in the spectrum of options. How long will it take to do that?

Mr. Ilkiw: Until we get the players at the table and sit down and find out exactly what is necessary, it is quite difficult to say. For example, I understand this idea has been floating around for a couple of months, but people have been reluctant to get the respective players together. There is still time, but you have to act quickly. The first week in January will be the first opportunity to get together and map out the plan of attack and get the information that is necessary. A great deal of work can be done in a short time if your objectives are made clear.

Mr. Reycraft: My observation would be that if any initiative is going to be effective, it has to be in place fairly early in the new year to allow for time to get the information out to potential clients.

Mr. Ilkiw: I am just going with the importance of proceeding as quickly as possible. We have to start.

Mr. Allen: From your point of view, who are the prospective players?

Mr. Ilkiw: In the letter the Treasurer wrote to Mr. Conway, they are the Civil Service Commission, the Ministry of Education and Treasury officials. I imagine the bulk of the expertise resides in the Civil Service Commission; it has the actuarial consultants who have worked in the private sector on this. The information would have to come from the Ministry of Education to get a clear definition of the goals of the respective players and a work plan. The government is good at setting committees, and if the government wants something done in a short time, we are supposed to deliver it.

However, we cannot answer Mr. Reycraft's question until we get together and find out exactly what the respective people want and what the information is.

Mr. Allen: You have indicated a great variety of proposals have come from the teachers' federations in regard to options for amending the plan, and many of those had to do with early retirement, related leave programs or what have you that might impact on the problem with which we are trying to deal.

As far as you know, will you be sitting down with the federations to work out which are the high-priority items in this early retirement discussion to which you might both best be addressing your attention?

Mr. Ilkiw: Mr. Kidd and I wear multiple hats, and one of mine is as a member of the teachers' superannuation committee. In one of my hats, I am a director and treasurer of our pension policy. In another, I am chairman of the biennial review committee that discusses the 21 issues with the OTF. In another hat, I advise the Treasurer on outside proposals by the OTF and the Ontario Secondary School Teachers' Federation on early retirement provisions.

From the government's perspective, you see multiple different benefit proposals all costing money and then, from Treasury's perspective, you could say one priority is the bottom line. If you add up all these things, all achieving the same objective, in a very simple fashion, they can collectively become very expensive. In the sifting process, the government finds at the biennial review committee that the OTF would like this, while outside it, because of Bill 30, the OTF would like that. The Ministry of Education has its priorities and the government has its priorities.

With all these things, collectively, what do they cost and are there trade-offs within the

package? In a world of limited resources, I do not imagine all of them are going to be acceptable. People talk among themselves but not necessarily within the same forum at the same time, because it is often not in the best interest to talk about all the issues in one place.

Mr. Kidd: I should add that this request for the abolition of the penalty factors was not addressed in the biennial review forum. The biennial review committee has concerned itself with the buy-back provisions and enhanced benefits, but this issue is not on the table at the committee at the moment.

Mr. Allen: Could it be? Will it be?

Mr. Kidd: The federation was of the opinion that immediate action was needed on this front and that the biennial review process would be too slow to give an instant cure or pain relief, which is needed, in its opinion.

Mr. Chairman: There is a similar opinion among members of the committee.

Mr. Allen: I was reminded of the Dr. Seuss story Cat in the Hat, as I heard the description of the many roles.

I gather that some of these items, and some of them in the response that was given to us with respect to the Ontario Secondary School Teachers' Federation recommendations, are not before the biennial review. None the less, with respect to those items, I presume there is the possibility that under one of the many hats you will be discussing the priority of some of those other options with the teachers' federations directly, as ministry officials and as superannuation officials.

Mr. Ilkiw: Within the biennial review committee?

Mr. Allen: Apart from the biennial review committee. Some of them are relevant to our concerns, and obviously the biennial review is too slow-paced to meet the immediate needs. Are there going to be forums in which those issues can be thrashed out between yourselves and the teachers' federations?

Mr. Ilkiw: I imagine most of our time in the next little while will be devoted to the OTF proposals about the reduction factors or alternatives. Both the OTF and the government recognize that as a priority, and it is the process we would like to get started and wrap up as quickly as possible. I would think the OTF probably would share our view there as well.

In the biennial review process, there has been progress and agreements have been reached on what we call the noncontroversial, no-cost

issues; so that is proceeding. We are now on the fast track with respect to the OTF proposals about the reduction factors.

Mr. Allen: Since you referred to solutions that lie outside the plan and the Teachers' Superannuation Act, do any of these forums include any of the school boards, inasmuch as presumably some of the solutions that lie outside there could be cost shared? Have any such discussions taken place?

Mr. Ilkiw: No. Before we know who to talk to beyond the three ministries I mentioned earlier, we have to find out and pool our ideas among the three ministries. We should not bring in a host of people and create confusion. You have to have the nub of the idea, get your marching orders, decide what you want to do, and get specific options of people, including the OTF, school boards and the government, to respond to and provide that spectrum.

I would imagine the preference would be to go to ministers first and say: "Which one are you comfortable with? Here are the costs. Do we go and approach the OTF and the other affected parties?"

Mr. Chairman: That makes sense.

Mr. Reycraft: I would like to go back to this business about the cost because I got confused. We started talking about 15-year terms, and then we were down to 10-year terms and the number of teachers was changing from 6,700 to 4,000. Can someone clarify that for me?

Mr. Kidd: There are 6,700 eligible teachers aged from 55 to 65 who are subject to a reduced pension as at the end of 1984; so with the abolition of the penalty factors you are influencing the pensions of a potential 6,700 contributors. Of these contributors, we estimated that perhaps 4,000 would pick up the option because it would be of a short-term duration and a number of them, as we demonstrated on the earlier charts, would like to retire but the penalty is just so severe that they cannot afford it.

4:40 p.m.

For example, a 60-year-old tech teacher with 25 years of service normally has entitlement to a 50 per cent pension. However, with the penalty factor of 25 per cent applied to that pension, he is then expected to retire on a 37.5 per cent pension. You might encourage a teacher to go out at 50 per cent; I do not think you can expect him to go out on 37.5 per cent of his final five-year average.

Just to recap: There are 6,700 people eligible for the potential plan. We estimate that perhaps 4,000 would pick it up. On the basis of the estimate that the total cost of it, picked up in its

entirety, would be \$400 million and the way the pension plan operates, that \$400 million is a total cost over the life expectancy of the plan.

The Pension Benefits Act decrees that you have to pay that debt off in a 15-year period, maximum, and that would be \$64 million a year over a 15-year period. Of course, you have to take into account the interest; 15 times \$64 million does not equal \$400 million, but you are dealing with present values of future money and that sort of thing.

A low estimate, if no one picked up the option or if very few picked it up, would be the \$62 million figure, which would be \$10 million a year over the 15-year period. However, if we are so pessimistic that we will put the particular recommendation in place and no one will pick it up, I do not think we are judging the market very precisely. A more realistic figure would be that 4,000 out of the 6,700 people would pick it up, which would be roughly a total cost of \$250 million during the 15-year period. Amortized, it would be \$40 million a year for 15 years.

A couple of other figures have been floating about. The life of this provision, as Ms. Malloy mentioned, is whether the window should be open for 10 years, five years or three years. That is one we have put out. Mr. Ilkiw has mentioned a 10-year period; I have mentioned a three-year period.

Mr. Chairman: The estimates we were given were for a three-year period, right?

Mr. Ilkiw: That was for a 10-year period.

Mr. Kidd: We think that is perhaps too long a period, and we would be looking at a shorter period to have an immediate impact. The problem with a 10-year period is that it becomes an eternity, and there are particular issues we have in the profession at present which we want to address immediately rather than in 1995. As you know, people will hang on until the last minute; so we would like an immediate impact on the system.

Mr. Reycraft: One of the concerns the minister expressed when he was here yesterday was that once you offer this kind of added benefit, you open the window and it becomes very difficult to close it again. Do you have any suggestions or observations on how to address that situation?

Mr. Kidd: It has been done in other plans. The public service superannuation fund had a particular window open, and they closed it again. We already have in the act a position-sharing scheme that is due to terminate in 1989. Therefore, there

are precedents for putting time limits on these issues.

In events coming down the road we hope to see the tapering off of a declining enrolment problem in 1989-92. From the charts we have been given, it looks as though the present average age of our contributors is about 43 years. If the average goes as it is it is quite simple; you add 10 to it. However, if you add 10 to that you are not only going to have these people going out, many of whom have 90 points, but you are also going to have the double impact of this present cohort from 55 to 65 also going in that period of time. Therefore, we are looking at quite a large retirement rate in the 1990s.

I am also a member of the commission; like Mr. Ilkiw, I wear more than one hat.

Mr. Chairman: Is there anybody in the room who is not a member of the commission?

Mr. Kidd: The commission estimates that 42,000 teachers will retire between now and the year 2000. At present there are only 28,000 pensioners in the plan, so we are going to more than double the number of pensioners in the plan between now and the year 2000.

Mr. Chairman: The window we are talking about does not change that number. It just speeds up when some of them come out. It adds costs.

Mr. Kidd: It does promote some. You get younger people in and some promotional opportunities for younger people so they are ready to assume positions of higher responsibility when the occasion arises.

Mr. Reyecraft: I have one other question. Are the 60:20 rule in the Public Service Superannuation Act, when it was in, the 60:25 with Ontario Hydro and the 60:25 with the hospital employees all based on a pension of two per cent per year of service?

Mr. Chairman: Yes.

Mr. Kidd: Age 60.

Mr. Chairman: It is hard to pick up the nods on Hansard.

Have you done any estimation—I guess this is partially what Mr. Allen was coming around to in terms of the boards being involved at some point—of the savings that would be involved to the education system by having more younger teachers come in if those 4,000 went out? What sort of figures are we looking at there in terms of the budgets? Is it possible to figure that out?

Mr. Kidd: I am not sure because, as Mr. Davis was pointing out earlier, some of these positions will not be created; they will be saved for more senior teachers, so you might not save

anything. If you are saving the seniority of, say, a teacher with 10 to 14 years of experience, you are not going to save very much. If you are comparing the maximum to someone coming fresh out of teachers' college, yes, there is a saving; but if you are comparing it to someone who has been here for 10 years, there is not much of a saving.

It is difficult to do a board-by-board comparison on these data because many of the boards are at different ages and maturity. The declining enrolment is hitting boards in different ways in different areas. In many of the expanding areas—Peel, Halton, Durham—the age of the teachers tends to be younger as these systems have grown, whereas in more urban areas and more urban boards, such as Hamilton, particularly in the north around the Golden Horseshoe, the teachers have been there for a lot longer and their problems are somewhat different. That is why it is difficult to do it on a board-by-board basis.

As you are probably aware, the government assumed responsibility for teachers' pensions back in 1885, when Egerton Ryerson founded the system—at a deficit at that time, too—and the commission itself was formed in 1917. So the boards to a large extent have not been involved in this process.

Mr. Chairman: Linked to that, if we had 4,000 teachers go out of the system in the next three years, how would that relate to the number of teachers we are expecting to lose because of declining enrolment and other factors? Does it only match that, or does it actually bring in new blood?

Mr. Kidd: I am not sure of these figures. I do not have them.

Mr. Chairman: Perhaps we can ask the Ontario Teachers' Federation when it comes forward. They might have some idea of what the projections are. We have that information someplace. We must have got it somewhere in all those weeks of hearings.

4:50 p.m.

Mr. Davis: These gentlemen are struggling with concepts on which, in my humble opinion, it might be advantageous in the initial stages to have not only the OTF give its input but also trustees. It is a lot easier if you are part and parcel of the solution rather than have a solution coming down that says you have option A, B or C and restrict the linear concept of thinking, which I understand is a new concept that might be coming into education.

It gives you those other bases. As was found out in Bill 30, in the Ontario Schools, Intermediate and Senior Divisions guidelines and in Bill 82, when you neglect one sector of the education system, what you find happens in effect is that someone forgets there is that sector and it has the unique experience that, when you put the proposal before them all of a sudden it is ineffective because they say, "You should have dealt with this."

If you could at least say you are looking at that and have some input early, some creative mechanism may come up. I notice the Halton experience is a buyout, the Metro boards just settled for a buyout; and the two or three propositions placed before us in the OTF document and by the steelworkers are those initial buyouts, which eliminates your problem. There is an influx of cash, but it does not affect the pension problems you pointed out. That bears looking at in a more realistic way than we have been doing. It probably has a better option than trying to reduce factors.

It is an interesting problem. I note with glee that you talk about mobility as one of the rationales for early retirement. Colleagues who have been in the Scarborough area would know that mobility can be accomplished in other mechanisms.

Mr. Chairman: We found ways of getting members of the board mobile.

Mr. Davis: Yes, we did. They are called elections.

Mr. Chairman: I cannot remember if I cut you off or if you had finished your remarks.

Mr. Ilkiw: No, I got in my two cents' worth.

Mr. Chairman: I think we have a sense of the cautions you are laying on the committee at the moment and also an indication of the direction Treasury would like to see communication go in the next little while. We appreciate that.

If we have other questions for you—I presume we will because none of us is an expert in this field—we will have either the clerk or myself give you a call on behalf of the committee.

Mr. Ilkiw: Could we have a bit more notice?

Mr. Chairman: No, that is one of the great joys of this committee, it is always the spur of the moment. We would not want you to have a settled plan for your day or week; that would be unfortunate.

On behalf of the committee, thank you for coming today and joining us, Ms. Malloy and Miss Lane as well, Mr. Ilkiw and Mr. Kidd. We appreciate it very much.

ONTARIO TEACHERS' FEDERATION

Mr. Chairman: The next presentation is from the Ontario Teachers' Federation, represented by Mr. Matte, Mrs. Wilson and Mr. Aylsworth. The clerk has actually numbered this as one of our Bill 30 submissions, 887. They still continue.

Mr. Matte, it is nice to see you. You can take us through the brief and then the questions will obviously tie into things that come out of it but also things we just heard about as well. You may want to make some additional comments prior to going into questions. Why do we not handle it as we did all the other hearings? You make the presentation and then we will go to questions.

Mr. Matte: Thank you very much. The presentation we want to make is mostly to tell you again some of the problems we have seen, answer questions that have been raised this afternoon and tell you the perspective OTF brings to bear on this issue, so it will be a very short presentation because these things have been told before.

It still warrants saying that education and the teaching profession are caught up in a series of complex and interrelated problems. We are proposing that a pension-based retirement incentive be used to rejuvenate the profession and provide the flexibility required to facilitate a major work force realignment.

What we are proposing is not a permanent change, but one of a limited duration that seeks to deal with specific problems. Declining enrolment is something that is not the government's doing, but the Ontario Schools, Intermediate and Senior Divisions guidelines and the extension of funding to Roman Catholic secondary schools are. This causes dislocation in an already ageing teaching force.

Within the profession there is less mobility, limited entry opportunity, an inadequate affirmative action program and diminished opportunities for advancement. This has caused problems in undermining morale and spawning insecurity.

I could give you demographics about the ageing teaching force and what it means, but I think they have been alluded to in the presentation by our friends from Education and Treasury.

Without government intervention, natural attrition will not provide the required flexibility and few new teachers will be hired. The adverse effects of work force realignment can be expected to fall disproportionately on those teachers under the age of 35 and dislocation will be greatest among female teachers.

One observation we have to look at is that, for the most part, teachers enter immediately after

completing formal education. There is one exception, which one of our recommendations responds to. There are some people who came in mid-career during the late 1950s and early 1960s to deliver the business and technological programs that were required at that time. These programs were created in the new composite schools. They are particularly affected by what happened with the OSIS guidelines, and the funding of Catholic secondary schools is going to emphasize this problem for them.

The corollary to that observation is that most teachers enter the profession immediately after completion of their formal education, and without a positive program to rejuvenate the teaching profession, we soon shall face a situation where the children, their parents and their teachers are all of different generations.

Each of these problems mentioned could be addressed in some measure through the creative use of pension-based initiatives. A positive program to encourage early retirement would rejuvenate the profession and create a climate of confidence by providing for more teacher mobility, greater opportunity for younger teachers, improved affirmative action and new opportunities for advancement.

We have talked about the number of teachers who could be affected by these changes. I think we would concur on the number of teachers alluded to by previous presenters. This federation is proposing three pension-based retirement incentives to encourage some of these individuals to leave the work force early. The use of pension-based retirement incentives is not confined to the public sector. In appendix A are details of the Inco program and the Bell Canada program.

The Ontario Teachers' Federation proposes that the reduction factors for early retirement of a teacher aged 55 or over be waived until 1995. Retirement allowances would continue to be based on two per cent of the average of the best five years of salary for each year of credit in the teachers' superannuation plan.

We also agree with the estimates proposed by our friends from Treasury and Education. About \$40 million a year for the next 15 years would be what we also consider to be a ball-park figure. The federation further proposes that the cost of this incentive be borne by consolidated revenue.

The second proposal is there to provide fair and equitable treatment of these individuals who are approaching but are not of retirement age and who are displaced from the work force. The Teachers' Superannuation Act should be amend-

ed to permit a school board or designated employer to make contributions, on behalf of a displaced teacher and on behalf of the government of Ontario, to the teachers' superannuation fund based on a teacher's salary at the time of cessation of employment, from the time of cessation of employment until the teacher is eligible to receive a retirement allowance. A similar amendment to the Public Service Superannuation Act permits contributions on behalf of such a person.

5 p.m.

Finally, many of the teachers who were in the technological field entered the profession in the late 1950s and early 1960s and would retire if they could obtain pension credit for their business and industrial experience that was required for initial certification. The Teachers' Superannuation Act permits an individual to purchase credit for this service provided the individual was a participant in a pension plan at the time the service was obtained and is not now eligible for a benefit from that plan.

About 20 to 30 per cent of the people are eligible under that. If they had a plan before, they can apply and do something about it.

The restriction imposed by Revenue Canada prevents 70 to 80 per cent of these teachers from gaining credit in the superannuation plan for service required for initial certification. That is why the federation urges the government and the committee to request Revenue Canada remove its objection to the amendment of the Teachers' Superannuation Act, 1983, to permit a teacher who required business and industrial experience for initial certification to purchase credit for such service, regardless of whether or not the individual was a member of a pension plan at the time the experience was gained.

These three recommendations are then summarized on the next page. These proposals were made to the Treasurer at the end of September, 1985, and the first two have not been discussed in the biannual review. The last one has been discussed a bit, but we are not dealing with it now at the biannual review.

It is not a question of wearing a hat here and then going to negotiate somewhere else. This is something that has come forward because the government has put on initiatives that are affecting the work force and we believe it is the government's responsibility to make sure the workers, the teachers of this province, are not bearing the brunt of such a proposal.

We believe these suggestions might help the committee, and the teaching force, to go through

this very difficult period without being too tattered and to make sure the children in the schools in this province will get a good education. Thank you.

Mr. Chairman: That was an interesting brief; quite short, but with some interesting points. One that struck me was the different ages of people who are now going to be in the system as teachers and students, because a very interesting problem arises if we have that kind of a gap in ages that has been talked about.

I want to ask you a bit about the notion of this all coming from consolidated revenue. It is an obvious question of cost that no doubt sparked the interest of the Treasurer in this whole matter up to this point.

You admit there are several factors involved, at least two of which have been created by government by means of OSIS and the extension of funding to the Catholic system, but the declining enrolment is the third one that is also having a major impact on the mobility, etc., of your teachers.

Do you see that as not being a major factor at this point in the equation? Is that why you suggested it all come from consolidated revenue? Why do you not think some of it should be coming either from boards or your portion of the plan and that kind of thing?

Mr. Matte: One of the problems that was alluded to by Treasury was that when things are changed on a temporary basis in the plan they tend afterwards to acquire a certain permanency.

By taking it from consolidated revenue instead of from the plan, you are indicating to those who are benefiting that this is only temporary in nature; that it is there to solve a particular problem. Mrs. Wilson might want to add something to that.

Mrs. Wilson: The enrolment decline has virtually ended in the elementary panel. We all expected it sort of to roll through. Its continuing effects in the secondary panel have caused not so much redundancy as dislocation, because Bill 82 came in as the enrolment decline was really rolling into the secondary panel, so there is a degree to which we have been able to move people by retraining, upgrading, getting additional qualifications in courses.

Having said that, we also have the age gap we have pointed out to you in this brief. In other words, we have been able to move the existing staff around into different programs, some of which require significantly more staffing. They are highly specialized programs, and the additional staffing is practically mandated by the

legislation. We have not been hiring. We have beautiful staff rooms filled with grey hair.

Mr. Matte: Although we like grey hair.

Mrs. Wilson: We like grey hair.

Mr. Chairman: Exactly; that is what should be said at this point.

Mrs. Wilson: We have all been ageing together.

I do not want to say there is no effect. The dislocation is quite serious but it is a different kind of effect from the other two.

Mr. Chairman: The arguments are good and interesting. Why did you chose that length of time to keep this open rather than some of the options we heard, about three years, just prior to your presentation?

Mr. Matte: The basis was the time frame that was mandated for the Commission for Planning and Implementing Change in the Governance and Administration of Secondary Education in Ontario. That changeover was for a period of 10 years and I guess we got into a mindset that this would also be for a period of 10 years.

Mr. Chairman: I thought the argument that was raised earlier, and I cannot remember who made it, was an interesting one, that having a shorter window, as it has been called, encouraged people to jump in more quickly and had a more immediate impact than spreading it over a longer period, because people tended to hang on longer, to opt in later on and to postpone the decision. Have you any comments on that? It seemed to be a good argument.

Mr. Aylsworth: I concur with the judgement that it would accelerate the impact. You also asked questions about what one could expect in the way of people who have already achieved the normal retirement criteria. The data I have are a little dated, but I estimate that in any one year about 2,000 to 2,400 individuals who have that are still in the plan. If you were talking about 4,000 as the projected effect, we could count on about 2,000 positions being available for new teachers.

Mr. Chairman: You currently have 2,000 people who have the total 90 factor and could retire at this point without penalty.

Mr. Aylsworth: That is right.

Mr. Chairman: Do you expect them all to retire? What is your anticipation?

Mrs. Wilson: We do not necessarily expect them to retire. Remember that the pension those people would have due to them would vary widely. We have large numbers of women in the

profession who came in before a degree was required. When a degree became a requirement, they were either raising families and it was very difficult for them to get a degree, or they were living in the north and it was difficult for them to get a degree. There are people without a degree who are still teaching, who are fully qualified because they are, I guess I should say grandmothered.

Mr. Matte: Grandpersoned.

Mrs. Wilson: When their incentive to stay on as long as they can is an incentive related to the size of their pension, it is not always easy to say, "You are at full pension and you should go." Their pension may still be small enough that it is not attractive to them. There are others who would get a decent pension who cannot bear to leave the classroom.

Mr. Matte: People who started very young would still be fairly young even if they have the right to a full pension at 55, and they may not want to retire.

Mr. Chairman: You said you did not disagree with a lot of the figures that were given by the first presenters. Do you agree with the notion the possible pickup, the 4,000 figure, was not unreasonable? We do not have much to go from now in terms of experience with boards with plans that have gone forward. The Halton item was passed around this morning. Have you done any surveys of members or anything such as that?

5:10 p.m.

Mr. Aylsworth: It is very difficult to project the effect of an incentive that has not yet taken shape. The thinking of our members does not differ significantly from Mr. Kidd's comments. We estimate that at any one time in the next 10 years there will be about 6,500 people within five years of achieving the normal retirement criteria. If the incentive were packaged correctly, we believe that 4,000 is not an unreasonable figure; but it would depend on the nature of the incentive and on how it was sold.

Mrs. Wilson: Remember, too, that the nature of the dislocation experienced by people in particular sectors of the secondary system is already severe and will continue to be severe, if not increase. I will speak particularly of the technical business. To some degree, the arts are beginning to be affected by OSIS specifically.

Thus you have a group of teachers who are, in our view, highly likely to go if they are older and if this is made available to them, because they are facing retraining, not just a shift to another school system. That retraining may be extremely

difficult for them, depending on what their initial qualification was to come in to teach.

Mr. Chairman: Following up from that, Mr. Davis was making the point about the North York pooling system, etc., and he was not sure that people would avail themselves of this but would rather stay in the pool and do some substitute teaching and that kind of thing. Do you have a response to that?

Mr. Aylsworth: If Mr. Davis's question related to board-generated early retirement incentive plans, we do not believe they will be effective, given the nature of the problem and the age-experience distribution that exists right now. About 30 per cent of the collective agreements have some sort of early retirement incentive built in. The provisions are far from uniform. They are not pension-based retirement initiatives; they usually involve a cash payout and are subject to local conditions.

They are useful in moving people who have already met the normal retirement criteria, the 2,000 to 2,400 people I talked about earlier. The problem is that there are not enough people in those age-experience cohorts to create enough flexibility to manage the situation.

The proposal we have made here is for a pension-based retirement initiative, and that proposal is specifically designed to move people who do not meet normal retirement criteria. Rather than see them as being overlapping plans, we see them as being complementary.

Mrs. Wilson: If I could address myself to the pool Mr. Davis mentioned, it operates across Metropolitan Toronto in the secondary panel only. By and large, it would have very junior teachers in it and those junior teachers are placed in the pool in May or June of a given school year. Personnel departments attempt to move them back into schools during July and August, sometimes right into September and occasionally early October. If they are not placed in schools in full-time or part-time teaching jobs or between schools, they are then in what is called a supply pool.

They are, by and large—though not entirely with the technical situation—very junior teachers. It would be our ambition to move some of the fully-employed older teachers out of the school system so the people who are in the pool would have full-time teaching jobs and so people who are unemployed would have full-time teaching jobs.

If I may hazard a remark on supply teaching, it is one of the most difficult jobs in the teaching profession and not one that anyone would

blithely take as a substitute for a full pension if one could retire. I am thinking of a couple of technical teachers who were offered positions in the pool and just were not sure what they would do if placed in a grade 9 English class to supply teach. Obviously, one tries to place people appropriately, but it does not always work.

Therefore, the pool is not a substitute for early retirement, in our view. The additional and more serious thing, of course, is that this kind of pool exists on a large scale only in Metropolitan Toronto. Other boards have very small supply pools; they are not big enough to take up the kind of impact we perceive as existing in the school system as a result of Bill 30 and OSIS.

Mr. Chairman: When I think of what I and some of my friends did to supply teachers when I was in school, I can only concur that it was a hell of a job and I would have retired if I had been in their position rather than face me and some of my friends.

I wonder whether I could deal with a major philosophical issue that was raised by the Treasury representative. You address it briefly, saying "While the primary objective of a pension plan must be to secure promised retirement benefits, it also must benefit the present workers." The argument we were hearing from Treasury is that you should not use a pension plan to try to fix a nonpension problem. Therefore, this whole notion of meetings that are going to take place in the new year to look at the best avenues is to look at things perhaps outside of the plan that would meet the difficulty.

Obviously, you have explored the use of the plan in these limited ways and have suggested the best way in your brief. Could you address that philosophical question and say why you chose this route rather than some methods of trying to address the problem external to the plan?

Mr. Matte: I have two comments and then Mr. Aylsworth can add to them. First, we are concurring with Mr. Davis's comments, and I think Mr. Allen mentioned the same thing, that the measure now in front of this committee is something that touches teachers, and if we are going to develop solutions other than those we would like to be involved in the discussion right from the beginning and not at the end and then find a little surprise package we might not agree with. So if there is something I can concur with it is one of those issues.

The other, to answer your question, is that it is not the first time pension funds have been used to solve problems that touch the work force, and there are examples shown here from the private

sector, if we are worried about that, and from the public sector also when we look at this type of incentive. So it is not something new. If the Treasurer (Mr. Nixon) has problems right now, it is understandable; but it still is not new, it has been done before.

Mr. Aylsworth: We would concur that the primary objective of a pension plan must be the security of the benefits for the plan participants. But in making that statement, that is not to say a pension plan should be passive and inert. It should be capable in exceptional circumstances of responding to the needs of the plan participants and I think we have some of those exceptional circumstances right now.

The answer to your question of why deal with a pension-based initiative as opposed to an external initiative, is that external incentives are very good at moving people from the profession who have already met the normal retirement criteria. Very simply, because of the demographics of this plan, they do not exist in sufficient numbers to address the problem, so the next best thing is to move on a pension-based initiative to get to some of those individuals who are close to achieving the normal retirement criteria. Those people will not move without initiatives because of the substantial reduction factors that are applied to their pensions if they should make that decision.

Mr. Ilkiw made a couple of other points about the private sector leading the public sector and precedents from other plans. The precedent of the early-retirement incentive offered in the public service superannuation fund has not been offered to teachers, nor has there been any serious discussion of doing so. With regard to the public sector leading the private sector, if you take a look at the breakdown of the Bell Canada plan, you will notice there is an 80 factor for those between ages 60 and 65 and an 85 factor for another group beyond that. Those are benefits not available to anyone within the public sector.

5:20 p.m.

Mrs. Wilson: I have been trying to think of pension plans that are as pure as Mr. Ilkiw described them. Quite bluntly, the public service plan is not, and most large private plans do from time to time use the funds for agreed-on social objectives, and that really is what we are talking about. We decided on the teachers' superannuation fund because one can apply the same effect to every board in Ontario.

I understand where Mr. Davis is coming from in terms of trustees, but the fact is that the trustees have nothing to do with the teachers' superannuation fund and if, in fact, you are using the fund

to try to ease the situation, you do not have to go board-by-board attempting always to treat everybody fairly and justly when the government fund applies to them all. Having to try to negotiate similar things across the board would be virtually impossible. You cannot even get that in Metro.

Mr. Davis: I am not so sure about that.

Mrs. Wilson: It would be an intractable problem in the short time we have.

The other thing I would like to say is related to the kind of committee structure that was mentioned by the Ministry of Treasury and Economics representative who was at the meeting. As the president of the Ontario Teachers' Federation has said to you, at the end of September we made a presentation to the Treasurer and our proposal on the reduction of penalty factors was in that proposal we made to the Treasurer. I find it somewhat surprising today to find that nobody has had time to look at it. We know it has been looked at and that all the costing of it has been done.

I keep wondering what this great triumvirate of the Treasury, the Civil Service Commission and the Ministry of Education is going to come up with as an alternative. The teachers, who after all put large parts of their salaries into the teachers' superannuation fund, are saying they wish to use a pension-based incentive.

I also would not like to see those three ministries talking without us. We quite deliberately removed this issue from the biannual review because we are trying to deal with the result of government policy change. That was why we went to the Treasurer and to the Minister of Education (Mr. Conway) with these proposals rather than to the biannual review. It is to the politicians that we wish to address ourselves on this issue, recognizing that the Civil Service Commission must give advice on costs. When it comes right down to it, it is our fund too. We believe as a collective group of teachers there are times when it must be used to mutual benefit and that mutual benefit is not just pension payout at age 65.

Mr. Chairman: Those are the arguments I expected to hear. One I missed was the fact that government uses pension plans all the time for other social means. It might be a creative idea to use it for the workers involved who are paying in.

Mrs. Wilson: Instead of Suncor.

Mr. Chairman: I do not know why I did not hear that but it somehow came to me.

I have dominated these questions, not because I did not want to recognize anybody, but because

I did not see any hands up. Are there questions from any of the committee members?

Mr. Davis: Just a couple. I agree with the comment that the trustees have no input if you are going to use a superannuation fund. But if you are not going to use a superannuation fund you are going to use a payout, which just occurred in the Metro area; then trustees certainly would want to have some input.

Mrs. Wilson: Yes.

Mr. Davis: I would not want to see that option discarded without more in-depth investigation. It has some viability. I know when you say you cannot make it applicable across Ontario you can make it applicable across Ontario by making a change in the Education Act by saying if this happens, this happens and this happens. I note that they could change the Education Act quite readily whenever they wanted to change it when I was around.

In the various groups that have come before us and talked about the superannuation act and their concern, some of your colleagues, especially some branch affiliates, suggested they would be prepared to use some of their own money from the superannuation fund to offset the total cost, to somehow balance that cost the public might incur if they opted for your kind of program. That would remove the restrictions where you went back to 85. How do you respond to that suggestion from your colleagues?

Mr. Matte: We did respond to that already. The first question put to us was that one but we do not mind doing it again.

Mr. Davis: I would like to hear it. I apologize for being out of the room. I had to go get some stuff.

Mr. Matte: What did I say the first time? I said no.

Mr. Davis: I thought that was what you said but I just wanted to hear you say it.

Mr. Matte: I just wanted to make sure that is what I said the first time before I said it the second time. These are initiatives that, when we talk about the OSIS curriculum guidelines and we talk about extension of funding to secondary Catholic schools, are initiatives that have come from the government. They have been organized by the government, decided by whoever the government was, and that has dislocated the teaching force.

We believe the remedy to be brought ought not to be borne by the teachers themselves—"You have caused this problem in society; now you pay for it through accrued surplus in the fund," if

there are any surpluses in the fund—it should be borne by the government that is there; indeed, by the government that has decided on those measures. The basis of our discussion today is that it should be done from the consolidated revenue fund more than from the plan.

Moreover, the point we also made previously was that if you want this measure to be temporary it has to be seen to be temporary; otherwise, temporary things can become permanent after a while. If you take it from the consolidated revenue fund it is much easier to get rid of than if you try to negotiate again from inside the Teachers' Superannuation Act.

Mr. Aylsworth: To respond to Mr. Davis's other question on the business of the pension-based initiatives versus something that might be negotiated through a local collective agreement, we pointed out earlier that they address fundamentally different audiences. The collective-agreement-based early retirement incentive plans are effective for those who have already attained the normal retirement criteria; it is an encouragement or an enticement to get them to exercise their retirement option. The pension-based initiatives, particularly the waiving of penalties, would address those approaching the normal retirement criteria who had not yet attained them.

They address two fundamentally different audiences and the plans are complementary as opposed to contradictory.

Mr. Davis: That is true in the two instances you have given us. It is not true at IBM. The early retirement incentive plan that IBM uses is given to employees who do not qualify to retire and, indeed, who suffer penalties if they retire at that age. In effect, it is a buyout—I do not like to use that word—of the person's service so they can bring in younger people. I do not hear you saying you are not going to look at that.

Mr. Aylsworth: But it is pension-based, that is the point. They can buy out years of service and in so doing reduce the factors.

Mrs. Wilson: In one way, this is what we are looking at for the technical teachers: whether we can get Revenue Canada to modify its rules.

Mr. Matte: There is nothing we are not willing to look at. We have a problem here and we want to find solutions. These are the solutions we are bringing to you. If you think there is a more rational one, give us a better deal.

Mr. Davis: I need a costing for my deal. I cannot get that yet.

Mr. Aylsworth: There was some debate earlier about the offsetting cost of bringing young

people into the profession. We do not have a specific costing for this one, but a couple of years ago the Ministry of Government Services did one for the position-sharing scheme that is now contained in the Teachers' Superannuation Act and found that at participation rates of about 280 or 300 people or more across the province, it was a wash; that is, the moneys saved rarely made up for the cost of the incentive.

Mr. Chairman: One other thing strikes me. Tomorrow when the committee meets, having looked over your presentation and that from the Ontario Secondary School Teachers' Federation and other recommendations we have had in the past before the committee, and also taking into consideration the other deputation today, we will be trying to come up with some kind of recommendation to the minister, which is all we can really do. We cannot incorporate this as part of the report.

In the real world of politics, we have heard that meetings of the minister and the commission are being requested by the Treasurer. It strikes me that the kind of motion that may come out of this committee may very well endorse that process but want to put some very specific timetable on it, so it is not seen as something that just can go on and on but rather meets the emergent need that we see and have already identified in our hearings around Bill 30.

5:30 p.m.

If that became the case—and part of that recommendation would probably also be that there be active consultation with you, obviously, in the development of whatever proposal is brought forward—what kind of timetable would you advise us to request, that on the one hand you think is reasonable, and on the other hand meets the question of the problem being as serious as it is and having an effect as early as possible?

Mr. Matte: If you want to affect the 1986 school year you have to take it by the end of January. In February, some boards are already starting to look at surplus procedures and are identifying people.

Mrs. Wilson: Teachers need to have time to make up their own minds. I think it has to be by the end of January. I have already been asked to write a letter for a member of the Ontario Teachers' Federation executive because his board has to know by mid-January. That is when they start to put things on paper. The actual meetings will not start until February. That tells it all.

Mr. Davis: This is just to help me with the time frame. If Bill 30 is ruled unconstitutional is the situation still as desperate, or could you wait until 1987? I do not know; I am just asking.

Mr. Matte: In a sense, the main problem at this time is Bill 30.

Mr. Davis: That is right.

Mr. Matte: It is Bill 30 because it causes people to move from their present positions. They are transferred to something else or they lose their jobs. If it is not there the other two are still there, but we have lived with them for the past several years. One more year, if Bill 30 is not there—

Mrs. Wilson: If we could solve the Department of National Revenue problem—

Mr. Davis: It would solve the other one.

Mrs. Wilson: It would solve a large part of the other one, in a meritable sense.

Mr. Davis: I do not have any problem with the time frame. My concern is that you would want to put some qualifier on it that would say, "If Bill 30 is unconstitutional, then this action happens," whatever it is.

Mr. Matte: That is right. Then the time frame—

Mr. Davis: The time frame is not as important.

Mrs. Wilson: It might still be important for us to have your support of the third request, that the government ask the Department of National Revenue to—

Mr. Davis: I have no problem with that.

Mrs. Wilson: That would cope with the people with restricted certification. We are not just talking about technical; sometimes it is music, for instance.

Mr. Davis: Yes.

Mr. Matte: This has already been caused by the OSIS guidelines and by declining enrolment.

Mr. Davis: We can also ask for a review of OSIS.

Mrs. Wilson: That would be nice.

Mr. Matte: We would not mind that either.

Mr. Chairman: As I look at this, recalling what Mr. Kidd said earlier—I think it was Mr. Kidd—that we would need an act or an amendment to the act, we would, therefore, need legislation. Does the legislation have to be passed by then?

Mrs. Wilson: Do what former Premier Davis did the last time and give a commitment that the

legislation will be passed. A letter went to school boards.

Mr. Chairman: And a further request to Revenue Canada? I presume a request can be made without a change to the act; but would the wording of the act have to change to assist those technical and arts people?

Mr. Aylsworth: The wording of the act would not have to be changed. It would be a regulatory change.

Mr. Chairman: That is something to which there might be an early practical solution. As you pointed out to Mr. Davis, it is primarily an OSIS effect and therefore is outside Bill 30. Those are helpful comments.

Mr. Matte: I do not want you to think the technical and industrial situations are an effect only of OSIS. OSIS had an effect on those teachers. Bill 30 is having another effect, because if you are going to take kids out of the public school system there are no kids in those classes and you are compounding the problem that OSIS and declining enrolment started.

Mrs. Wilson: The programs do not exist in the other system so the teachers cannot move.

Mr. Chairman: I was not disagreeing. I was just taking from what Mr. Davis said that if Bill 30 were unconstitutional, this is something that is still required because of the effect of OSIS, even if the other matters could be delayed somewhat. The difficulty will be that we expect a ruling, I gather from what the minister said again yesterday, from some time in mid-January on.

You had that when you were in government; you used to know these things. It has always been a mystery to me. How does it work?

Interjections.

Mr. Reyecraft: As to the third request, is there any precedent for the Department of National Revenue making that kind of ruling? Has that already been addressed?

Mr. Aylsworth: Yes, there is a recent provision in the Nova Scotia Teachers Pension Act that grants credit for similar kinds of service. It was put in as an emergency measure to deal with an employment situation. That precedent has been brought to the attention of the revenue department but it seems to be a little hesitant to act on it at this point.

Mr. Chairman: They accepted that?

Mrs. Wilson: They accepted the Nova Scotia one, but when we reminded them that they had done that and asked why they did not do the same thing for us—

Mr. Chairman: It might be that the numbers scared them.

Mr. Aylsworth: At this point we received the reply that the weight of a government request might assist our inquiry.

Mrs. Wilson: Ontario has more leverage than Nova Scotia in terms of getting this sort of thing if it really wants it. We would like the government—all the three parties—to lobby for it.

Mr. Reycraft: The other question, also with respect to the Department of National Revenue, comes out of the concern we heard expressed earlier that it would have to make a ruling on whether the elimination of penalties would constitute such an increase in the capital value of the pensions that it would not be able to approve it, that it would then deregister the plan. Is there not ample precedent—

Mr. Chairman: That one surprised me, with the \$60,000 limit on it.

Mr. Aylsworth: At least two teacher plans in Canada in the past 24 months have enacted similar permanent changes in waiving reduction factors. I would presume those plans were approved by the revenue department for continued registration. The request here is not for a permanent change but for a short-term change.

Mr. Chairman: Yesterday the minister indicated there is disappointment in the effectiveness of the Nova Scotia plan.

Mrs. Wilson: It has not been in place very long.

Mr. Chairman: Is that only because it is too early to tell?

Mr. Aylsworth: We have actual numbers. Our information from the Nova Scotia Teachers

Union is that it is quite pleased with it. They are actively seeking the extension of a plan for at least one more year, through to 1987. We can produce the numbers; the number of 460 people taking the option in the first year comes to mind but it has been some time since I have looked at the data.

Mr. Chairman: If there are no other matters, thank you Mr. Matte, Mrs. Wilson, Mr. Aylsworth for your presentation.

Mr. Matte: Thank you. We look forward to your recommendations on this one.

Mr. Chairman: So do I. The committee is looking forward to doing something tangible.

We will reconvene after orders of the day tomorrow because there is a question period. We will not have the full afternoon; we will just have from orders of the day onwards. Again, I would like to encourage members who wish to bring forward motions to prepare them in advance and make copies for each caucus.

Clerk of the Committee: And for me.

Mr. Chairman: For the clerk, yes. In that way we can focus our discussion because we may have a limited amount of time to work this out. It seems to me that things referred to today will help us at least give a broad direction to the way in which the committee would like to go and to the minister. We will leave it up to you how you would like to frame those resolutions for tomorrow.

If there is no other business, we are adjourned until after orders of the day tomorrow.

The committee adjourned at 5:39 p.m.

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No. S-89

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Official Report of Debates

Legislative Assembly of Ontario

Standing Committee on Social Development
Education Amendment Act

First Session, 33rd Parliament
Wednesday, December 18, 1985

Speaker: Honourable H. A. Edighoffer
Clerk of the House: R. G. Lewis, QC



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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Wednesday, December 18, 1985

The committee met at 3:46 p.m. in committee room 1.

EDUCATION AMENDMENT ACT (continued)

Resuming consideration of Bill 30, An Act to amend the Education Act.

Mr. Chairman: I call the meeting to order. Today we hope to complete our discussion of the questions of superannuation for teachers and changes we might recommend to the minister as a result of our hearings on Bill 30.

We had a presentation by the minister two days ago and by expert witnesses yesterday. Today we will deal with motions and try to have a resolution of it. The procedure will be as in the past, although we as a committee have not had much experience in actually handling votes here.

I will recognize Mr. Allen and his motion because he introduced the matter for the committee's consideration. It is being circulated at the moment. I will ask Mr. Allen to read it into the record. Then we will discuss amendments to the motion as they come forward, and then the motion itself before we deal with any further motions of substance.

Mr. Allen: As a result of our discussions on early retirement options and the cluster of issues surrounding Bill 30 that impact upon teacher personnel, accessibility to the profession and so on that could be ameliorated by moving in the direction of early retirement and related options, it seemed to me worthwhile phrasing the motion in fairly comprehensive terms so the grounding of the motion is clear. I have therefore included in the motion six whereases and four elements to the substantive part of the motion.

The motion therefore reads as a recommendation from the standing committee on social development to the Minister of Education regarding early retirement and related measures for Ontario secondary school teachers in the light of the impact of Bill 30.

"Whereas Bill 30, completing separate school funding, will cause additional pupil decline and teacher redundancy among public boards, and;

"Whereas declining enrolments of recent years have led to a much older age profile among public board teachers and reduced hiring of younger teachers to renew the profession, and;

"Whereas the effect of teacher transfer to the separate system will further adversely affect the age profile of public board teachers and the access of younger teachers to the profession, and;

"Whereas these problems are further aggravated by the presence in the public boards of significant numbers of teachers over 55 with at least 10 years of service but who have not met and may never meet the retirement criteria, among them in particular women with interrupted career patterns and business and technical teachers, and;

"Whereas there has been concern expressed by both separate boards and public secondary school teachers about possible system and personal repercussions of large teacher transfers from the public to the separate system, and;

"Whereas this entire cluster of problems can be helpfully addressed, with potential significant savings to both public boards and the government, through the reduction of redundant personnel by means of early retirement and related measures,

"Therefore, I move, as recommendations of the social development committee to the Minister of Education:

"1. That the ministry, in consultation with the Ontario Teachers' Federation, the Teachers' Superannuation Commission, and the Department of National Revenue, arrange a time-definite early retirement scheme whereby, starting in 1986 and for 10 years thereafter, teachers reaching the age of 55 with a minimum of 10 years of service will have early retirement penalties eliminated,

"2. That the cost of this scheme (which is estimated to be in the vicinity of \$40 million) be borne by the consolidated revenue fund, and

"3. That the ministry undertake to secure improved portability among public sector superannuation plans so as not to impede the movement of school teachers into other public service professions, and

"4. That the regulations of the Ministry of Education be amended to permit position sharing by teachers."

Mr. Chairman: I suggest that before we move into debate you might want to clarify the \$40-million figure. As I recall, that was an annual estimate over 10 years.

Mr. Allen: Yes, that is right, over a 10-year period. No?

Mr. Chairman: Was it not a total cost of \$40 million?

Mr. Allen: It was the total cost, as I understood it. We can readily delete that specific cost if it clouds the issue. That was my understanding.

Mr. Chairman: It might be wise to eliminate the reference to the specific cost because the whole thing was based on the presumed take-up.

Mr. Allen: Yes, that is right.

Mr. Chairman: We do not know what the total figure would be. It ranged from \$200 million down to \$60 million total, as I recall.

That is a friendly amendment to you.

Mr. Allen: Yes, that is quite acceptable.

Mr. Chairman: In clause 2 of the motion, we will strike out what is in parentheses, "which is estimated to be in the vicinity of some \$40 million."

If you would like to speak to your motion, I will then open it up to others and accept amendments. The only area that does not seem to be specifically under the whole question of superannuation that we have been discussing is your item in number 4.

Mr. Allen: Position sharing.

Mr. Chairman: Could you explain why you want that as part of the same motion?

Mr. Allen: Even after the discussions we have had in this committee, with many representations and also the tantalizingly brief discussion yesterday from specialists with regard to the superannuation issues and the complications of early retirement, one does not address this subject with a great deal of technical confidence. None the less, some things are reasonably clear.

First, the teaching profession has laid before us and before the ministry a very large number of possible options in this regard with various variations to them. It seems to me that a good many of those were either mutually exclusive or overlapping.

When one came down to it, essentially what the profession seemed to be recommending and what appeared to be simplest and most straightforward was removing the penalties for a significant number of teachers who would have difficulty reaching the retirement criteria of the plans and who might never reach those criteria. Given the estimate of the clientele for that option—namely, that there were some 6,500 teachers who were potential retirees under this,

and the take-up might be as high as 4,000—that seemed to be a significant option for us to address that was fairly simple and straightforward.

There was one objection that was indicated by ministry personnel yesterday. That was to the effect that there was some doubt as to whether the Department of National Revenue would authorize this kind of arrangement and that its consent would have to be given.

It is my understanding that it is precisely this kind of plan that Manitoba proceeded with in its early retirement arrangements. It went to the Department of National Revenue, which agreed to this without any difficulty that I am aware of. Therefore, there is no reason to think that is an objection to this plan.

From the point of view of legality and what is appropriate, it seems this is a workable proposal. A ministry approach such as this has a lot to commend it beyond the options that are provided by collective agreements with local boards. On the one hand, it is a very hit-and-miss way of getting at a major work force realignment, taking into consideration age profiles and what have you and meeting a problem such as this which is province-wide.

Second, most of the early retirement plans that are out there among those public boards address themselves to a slightly different problem; namely, the problem of those who meet the 90 factor—that is, the criterion for retirement—but who are not taking it up at the appropriate time for them to retire. Therefore, the various options the boards have tried to hold out have been to persuade that group to get on to the retirement track and to move out of employment with the system. That is a very different proposition than the one we are addressing. The boards are welcome, and it is congruent with this proposal, to move even more in that direction.

None the less, the large number of people that we are addressing do fall in that other category; namely, those who are 55 years of age, have 10 years of experience or more, but who do not now meet, and some of whom may never meet, the retirement criteria.

This part of the motion seems to be the most straightforward proposal to make amongst all of the proposals that have been made to us. The notion that this cost should be borne by the consolidated revenue fund is a sensible one. To attempt to address a temporary or transitional phenomenon within the framework of the Teachers' Superannuation Act itself and all that would imply seems to be needlessly encouraging the notion that this would be an ongoing scheme and

would create certain ripples and rips in the accounting system that might be a little erratic. I am not a specialist in that, but I am prepared to accept that argument.

The cost itself, as we have been given it and as you indicate, ranges across some spectrum of dollars inasmuch as no one knows what the actual takeup will be. The objection that the ministry has given us, and which the minister himself repeated, is that even if we put this out there we could not be sure what the takeup would be. We might get something going and not have any result from it.

In my mind, this is something of a nonstarter. On the one hand, we have had a lot of indication from the teaching profession that there is interest in this. There has been evidence from the boards that have set up their own early retirement schemes that there has been significant takeup. I suggest there would be a significant takeup to this. The argument that there is a problem if it is not heavily taken up seems to be rather empty. If nobody takes it up, there is no cost. Therefore, the principal objection which is given to many of the proposals that have been made, namely, the cost factor, simply takes itself out of the picture. To me, that argument is not particularly impressive.

4 p.m.

I have asked whether boards might be involved in the costing of this. That, of course, is an option one might entertain. However, the boards have not been directly involved in superannuation arrangements in this province between the teachers and the government. It would not appear to be totally helpful to involve them now without undertaking some further discussion as to whether one wanted to encourage that in the long run. I am not sure that is advisable.

Putting that question to one side, we are left essentially with the government meeting this on the back of the consolidated revenue fund. The amounts do seem to be manageable. As a counterweight, one could say that overall the ministry has its own ways of retrieving some of that money from boards that benefit significantly from this in terms of costs, either by applying certain weighting factors in the individual board transfers or by the general legislative grant. There are ways of cost recovery for the government, if it wishes to take them.

The third and fourth points move a bit away from the question of early retirement per se. I stand to be corrected, but I understand there are portability problems between the public sector pension plans, inasmuch as the teachers, as

professionals, might well be considered to be a group that had reasonable access to openings in the public service, more widely speaking, should they leave the profession at some point.

It seems reasonable at this time to suggest that portability be opened up between those plans so there is no impediment to teachers moving out of their initial profession and into others in the public sector. That might be one way of dealing with the redundancy problems that are being created by Bill 30.

Because it was evident that the impact of Bill 30 could be very heavy upon the younger teachers in the public board secondary schools, it seemed to be useful to take whatever simple steps there might be available to us to augment employability for the newcomers and younger teachers who are finding it difficult to secure and maintain positions in their chosen profession by suggesting that the ministry amend its regulations to permit position sharing by teachers. That was how I got to that one. Admittedly, it is not directly a pension matter, but I thought it was related enough that we could include it here. If not, it can always be the subject of another motion.

Mr. Chairman: For the sake of trying to have discussion around superannuation, I would recommend that you withdraw point 4 and reintroduce it at another stage. That is not to say it is not a valuable thing for us to discuss, but we have had no representation on that subject in the last couple of days. It opens up the field, unless committee members want to have it included and feel they are able to speak to it knowledgeably.

Mr. Reyecraft: My understanding is that there has already been an amendment to the Teachers' Superannuation Act that permits position sharing. The advice I have received is that subclause 75(1)(i)(viii) deals with that specific matter and permits it to occur.

Mr. Chairman: I agree there is that section. As I recall, not in the presentation yesterday but in other discussions I have had, the Ontario Teachers' Federation had some difficulties with the way that was being interpreted. We have not had that kind of discussion in the committee. Rather than open up another area for discussion, if we could limit ourselves strictly to superannuation questions today, it would be a useful way of organizing the debate.

I will allow Mr. Allen, who is conferring over there, to make another motion. If he wishes to leave it in, then I will leave it until we come to votes. Otherwise, we could restrict how we are going to operate here.

For the purposes of the committee, the easiest thing for us to do is not to have much debate on the "whereas" section, which does not bear on the recommendation to the minister. Instead, we can deal with the other items that are here and take them one at a time, because each of them is relatively independent. Then we can go back to the whereas, if we pass the recommendations, and clean up any language the members feel they would like to adjust.

Mr. Henderson: I have a point of clarification. I do not understand exactly what position sharing is. Two ideas come to mind. I gather that more narrowly it is the notion of one job being shared by two people, but does it not also refer to the notion of positions being shared between the two boards? That is not what we are talking about here.

Mr. Chairman: I do not think that is specifically what we are talking about, although I agree—

Mr. Henderson: If it is, that would be relevant to the whole question.

Mr. Chairman: Let us go back to the matter of item 4. Mr. Allen, would you like to make an argument why that should be included at this time under this discussion of superannuation, or would you like to withdraw it and reintroduce it at another time when we are dealing with other matters?

Mr. Allen: Admittedly, we have not had much discussion of this point. It was brought before us by some of the presenters and has been referred to from time to time in our discussions. I do not know whether it came up in the latter part of yesterday in the Ontario Teachers' Federation brief.

Mr. Reycraft is correct that there is a regulation that permits this, but some impediments remain in the way in which it is applied. Second, the nature of the board's involvement in the way in which it is used vis-à-vis the collective bargaining process has made it difficult to make a great deal of headway with the regulation.

The notion of position sharing does have some relationship to superannuation and pensions inasmuch as it is a way by which a senior teacher can continue to be employed and make contributions to the plan while opening up a position for a junior teacher to move into the profession. Therefore, it contributes to the ultimate movement of that senior teacher out of the profession. Therefore, it does have a connection, but obviously it is not specifically as close as item 1.

Mr. Chairman: We can leave it in, but I think you will probably want to clarify item 4. Instead of having "to permit position sharing," you might say "to improve position sharing," if there is already a regulation.

Mr. Allen: It could be, "That the regulations permitting position sharing be amended so as to promote more effectively position sharing by teachers."

Mr. Chairman: To use the present wording you have, perhaps we can do it this way: "That the regulations of the Ministry of Education be amended to promote more effectively position sharing by teachers."

I will say it is in order because of the argument you are making on the question of people being able to maintain their payments to the plan as part of maintaining their superannuity.

If we can proceed, I suggest that rather than deal with all four items at once, we take them one at a time and take amendments to each, where appropriate. Rather than offer amendments to item 2 at this stage, we will first deal only with the first recommendation before us and limit discussion to it. Then we will move on to the second. If there are additional amendments or recommendations to be proposed, perhaps they can be done at the end, unless you think it is appropriate to do it before. For instance, yesterday we heard that meetings are planned for January and that there is a possibility that time limits will be put on any investigation of this matter. That could be tacked on either at the beginning or at the end of the recommendation. I will leave it up to you.

Mr. Reycraft, do you have any comments on number one?

Mr. Reycraft: Mr. Chairman, you indicated we are not going to discuss the preamble at all.

Mr. Chairman: We will go back to the preamble and discuss its wording afterwards. As far as I am concerned, for the minister the only effective portion of what we are dealing with is recommendations, not our preamble about how we came up with the recommendations. He really has to deal with the recommendations coming from this committee, not with our preambulatory thoughts.

4:10 p.m.

Mr. Reycraft: The 10-year window that is proposed in the resolution is a section with which quite frankly I have some difficulty in supporting the general concept of this section of Mr. Allen's resolution. What we are really trying to address here is an education problem, one that is

presented to the schools by an ageing population, an absence of young teachers, the lack of movement of teachers from one area to another and so on. Of course, the big problem in almost every area of this province is the declining enrolment that has been going on for some time and, as a result of that, redundant teachers. We know, too, that projections suggest this trend is likely to continue until the mid-1990s and that at that time there will very likely be a reversal of the problem and a shortage of teachers.

Complicating all of that is something we have seen in the demographics of ages of teachers. We know there is one bulge in the system in the over-55 group; but there is another bulge in the system: teachers who first entered teaching in the early-to-middle 1960s, back when I started teaching myself. When that shortage begins to exist in the mid-1990s those people are going to be of retirement age and they are going to leave the system.

There is a need, then, to get people into the system, not 10 years from now but now, so that when those people who will be retiring in the mid-1990s leave the positions of responsibility they will in all likelihood hold at that time there will be young people in their mid-thirties with experience who will be prepared to go into and occupy those positions.

My concern about leaving a 10-year window is that there is going to be a very gradual takeup of the incentives that are offered. Narrowing the window encourages people who find early retirement incentives attractive and who are in that 55-or-older bracket, to take advantage of those incentives fairly soon. I think leaving a window that wide open is not going to have the complete effect we want to see.

Mr. Chairman: It would normally now be out of order for you to move an amendment, because you have already spoken to it, but do you have an amendment you would like to propose to the 10-year window, "starting in 1986 and for"—

Mr. Reycraft: I would prefer to see the scope of the window left to the negotiations and consultations among the Ontario Teachers' Federation, the Teachers' Superannuation Commission and the Department of National Revenue people. I would prefer to see the resolution not address a specific time period, so no, I do not have specific wording and I am sorry I am not familiar with the procedure. I did not realize I had to have that at this stage.

Mr. Chairman: If you are not going to move an amendment it does not matter. What you could do, if that was your intent, would be to

move the deletion of the phrase "starting in 1986 and for 10 years thereafter."

Mr. Reycraft: That sounds very appropriate. May I do that at this opportunity?

Mr. Chairman: Yes, you may.

Mr. Reycraft: I shall, then.

Mr. Chairman: Mr. Offer on the amendment, but you can deal with both issues, obviously.

Mr. Offer: Mr. Chairman, it is with respect to the first recommendation, leaving aside for a moment the six statements and the preamble, with which I might have some problem.

I have a problem with recommendation 1, and I think it might be more as to form. In the first line the word "consultation" is employed, yet starting in the third line is the conclusion of the consultation, and I do not know whether it is appropriate to request consultation to arrive at a particular answer as opposed to simply an answer. Although I agree with the consultative process between the parties indicated in recommendation 1, I think it might be presumptuous in that particular recommendation to indicate what their conclusion shall be.

It might be along the lines of what Mr. Reycraft has stated. I have absolutely no problem with the consultative portion of number one. I do have serious problems with the conclusions reached, or presumed to be reached, by that consultation in that same recommendation.

Mr. Chairman: You are agreeing with Mr. Reycraft's motion to delete the phrase "and for 10 years thereafter." Does that leave the conclusion of the consultation vague enough and does it allow them enough leeway for you to be happy with what is in the first line? Is that what you are saying? We are speaking to the amendment at the moment.

Mr. Offer: After the first two-and-a-half lines, after the word "Revenue," it might be, "with respect to early retirement provisions," period—consultation with those parties with respect to early retirement provisions.

Mr. Chairman: We will have to hold that and allow you to make that amendment after we deal with the amendment that is before us about the time limitation or the window. Let us address the matter of the deletion of that phrase "and for 10 years thereafter." Are there any other comments or speakers on it?

Mr. Allen: I gather we are simply addressing the amended portion of the motion at this point.

Mr. Chairman: That is right, just the deletion.

Mr. Allen: I understand that in the portion of yesterday's session when I was not present there was some further discussion of the question of how wide the window should be. My own thinking on this question up to this point has been that, inasmuch as the implementation process is happening over a period of 10 years, presumably such adjustments as we make to things like superannuation plans ought most appropriately to correspond to that.

This is not to say that this is a complete and entirely adequate argument if there are other objectives in mind. I am not concerned very deeply about narrowing the window significantly if the judgement either of the members of this committee or of those who are closer to the scene is that, with a narrower window, more people will take up the option or they will take it up earlier, with the benefits that Mr. Reycraft describes, which are, of course, to get more of those young people into the profession earlier and to have them in experienced positions to take on the added responsibilities of the system in the mid-1990s. That makes a great deal of sense and I certainly accept that argument.

However, I am a little concerned about the trend of discussion to begin to take the detail out of the motion entirely. It began with Mr. Reycraft's proposal, which is simply to take out the 10-year period, and then Mr. Offer suggested we simply suggest there should be consultation about early retirement.

4:20 p.m.

Those things are happening in those very general terms, and I would have thought that the committee, at least with the amount of reflection it has had on the subject, might be prepared to be a bit more detailed in its advice than just that.

I want to speak against the complete removal of any reference to the window. When this gets to the place it is intended obviously nobody is going to be bound by what this committee has suggested by way of detail to move in precisely those ways; however, if this committee feels, for example, that the notion of a faster takeup would be improved by a narrower window, then that is what we should say and we should put that detail in the motion.

I will speak against this part of the amendment. I would be only too happy to have the proposer or some other person come back with a specific narrow window that would give better direction to the ministry as to what we are thinking about.

Mr. Chairman: It is hard for me in the chair to ascertain the reasons for presenting it. Yesterday

we heard from the superannuation people of the ministries involved. A three-year window seemed to them to be a more appropriate method of ensuring that immediate, quick pickup; and they still thought 4,000 would participate.

When I talked with Mr. Aylsworth of the Ontario Teachers' Federation after the meeting, he indicated he had no difficulty with it being shorter than 10 years. I do not specifically recall asking whether it should have been three or not; I cannot remember now.

It depends on the intent of your motion, Mr. Reycraft, whether you want it to be left vague, as Mr. Offer is suggesting, or whether you want to guarantee a shorter takeup. If you want to guarantee the shorter takeup, you could obviously put a limitation of up to and not more than 10 years, or be specific. Perhaps you would like to speak to that in terms of Mr. Allen's concern.

Mr. Reycraft: It is not my intent to make the resolution vague. I like the suggestion in Mr. Allen's motion that the scheme would start in 1986. Quite frankly, with that specific point in, the size of the frame is not terribly relevant, and I would like to leave it to the parties to negotiate.

Mr. Allen: My only comment, Mr. Reycraft, is that clearly it will be up to the parties to negotiate. This is not going to be restrictive in that sense; it will be advisory. If, for example, we put it in less exact terms and say a narrower window of up to but no more than five years, which takes you from 1986 to 1991, it gets you in the ball park of entry that you want to see for the purposes you mention, which I think are entirely appropriate. Perhaps that would be a way of communicating the advice without tying hands.

Mr. Chairman: It should be understood that our motion does not tie anybody's hands in the sense that it has no more power than the fact that this committee has had a great interest in these matters and now feels itself capable of making some sort of recommendation. All we would be doing would be suggesting directions that we think are appropriate. There is no required response to this kind of motion from this committee. Your point in that sense is well taken.

Mr. Reycraft: I would have no strong objection to the proposal Mr. Allen has just made if it were to say "a term of up to and not exceeding five years."

I would like to make a comment on the matter of the 10-year period. That is the reason I asked in the beginning whether we were going to talk about the preamble. I have some objection to this business of trying to connect what is being proposed here to Bill 30. The discussions about

eliminating the reduction penalties have been going on for some time in different forums. Declining enrolment has been a reality for some time. Even the specific problem with technical teachers has been in front of us for some time.

As I said in the beginning, what we are dealing with is a problem that is confronting education. We have an opportunity to improve the quality of education in this province if some means can be found to provide for a new injection of fresh blood into the profession. The 10 years and Bill 30 and that kind of thing take the focus off what we are doing.

Mr. Chairman: We can go back and discuss the preamble. For our purposes we have to have some reference to Bill 30 at some point because that is why we are looking at this today, or I will have to rule the whole damned thing out of order. Do I gather that you are proposing a friendly amendment to yourself on the other matter, which would be to replace the deletion of that phrase with "starting in 1986 and for up to but not exceeding five years"?

Mr. Reycraft: Yes.

Mr. Chairman: Is that acceptable to the original mover?

Mr. Allen: Yes.

Mr. Chairman: Then it is a friendly amendment. We will certainly go back to the "whereas" section with any wording you people would like at that point. In fact, if you wish, you can even ask me, in communicating our recommendations to the minister, to delete the whereases. We are sending the minister our recommendations.

Is there any further discussion on item 1? Mr. Offer?

Mr. Offer: No.

Mr. Chairman: I was under the impression you might want to say something.

Mr. Allen: With respect to wording, I did note that the word "for" at the end of the fourth line is redundant.

Mr. Chairman: Right.

Mr. Reville: We should have an early retirement scheme to get rid of that word.

Mr. Chairman: Consider it done. Retired.

Mr. Reville: Do I understand that Mr. Offer's concern has been dealt with in some mysterious way that I do not understand?

Mr. Chairman: I think so.

Mr. Reville: Good.

Mr. Chairman: Miracles take place all the time.

Mr. Offer: Yes, it is an enlightening experience these days.

Mr. Reville: I do not need to speak.

Mr. Chairman: No, you do not, but you were doing it anyway.

If there are no other items on the first matter, then let us go into the second part of the resolution, which would now read, "That the cost of this scheme be borne by the consolidated revenue fund." We have had discussion from the proposer. Is there any other discussion of this matter?

It raises some concern to the Ministry of Treasury and Economics and the Ministry of Intergovernmental Affairs. Are there any comments on the appropriateness of this vehicle?

Mr. Reycraft: The concern expressed yesterday by the Treasury representative was in association with proposals that this ministry was making that somehow the group that was going to consider the problem should look at a broad range of solutions. Funding it from outside the teachers' superannuation fund was one of those proposals.

Given the great amount of consultation and the length of time that has passed since this issue was introduced, I have some concern about the length of time this will take in relation to the desire on my part to see something done fairly soon. Certainly going outside the TSF is going to make it more difficult to come to an agreement on a solution to the problem.

4:30 p.m.

The other suggestion that was made by the OTF yesterday was that the money should come from the consolidated revenue fund because the problem was a result of two government measures—Ontario Schools, Intermediate and Senior Divisions guidelines and Bill 30. I spoke earlier about how I do not believe that this is completely the case. The declining-enrolment problem and the problem of dealing with redundant teachers have been with us for some time. While those two measures have aggravated the problem, they are not the entire cause.

We also are awaiting an actuarial report. I think it is part of a triennial review that is undertaken. It is the expectation of most parties, if not all, that the result of this review will indicate that the fund is in a very healthy state, so I do not think any concerns about the fund's not being able to bear this kind of amendment are very well founded. I do not really see the need to go outside the TSF to fund early retirement incentives.

Mr. Chairman: I should have mentioned at the beginning of the meeting that the chart in front of you was provided at the close of yesterday's meetings. It provides some of the projections without that most recent actuarial report on the health of the superannuation fund. You might want to have a look at that.

I gather you were speaking in opposition, therefore, to—

Mr. Reycraft: I should have moved that it be deleted before I started to speak.

Interjection.

Mr. Chairman: The easiest thing is just to vote against it at the time, if you so choose.

Mr. Reycraft: Will we vote on these one at a time?

Mr. Chairman: We will, just to make it easier for people. Mr. Guindon, do you still want to speak?

Mr. Guindon: No. I am kind of sympathetic to Mr. Reycraft's idea.

Mr. Allen: I would just say that I have my own concerns about the accumulating fund balance of the teachers' superannuation fund and the degree to which that makes it increasingly the major creditor of the province, and about a number of other issues that are worrisome in the extreme in the long run.

I had understood ministry personnel to say they felt that funding from outside the fund would be faster and also less contentious in some respects in its impact on the inner workings of the fund. As I said in my earliest remarks, I am by no means technically competent in the inner workings of superannuation funds, so I do not know whether that is the case or not.

That is my only response. It seems to me it is a simpler, more straightforward, faster way of dealing with the issue.

Mr. Chairman: Is there further discussion on this clause?

Mr. Reville: Mr. Reycraft's arguments were directed mainly towards questions about why we are looking at solutions to teacher redundancy, why we are concerned about work force realignment and how to try to assess which factors are more relevant than others.

I must agree that the declining-enrolment problem is very difficult to lay at the door of any government action I can imagine, certainly any direct government action. The original declining-enrolment problem that we experienced very strongly—

Mr. Chairman: There were not enough blackouts.

Mr. Reville: On that subject, sometimes blackouts are precisely when—never mind. I began to feel myself turning into Eddie Sargent and I resisted that metamorphosis as strongly as I could.

I am concerned that we are not giving enough attention to the fact that the superannuation-fund balance has been contributed by participants in the fund and should be guarded and protected for the benefit of all of them. That is appropriate, because we are attempting a short-term solution to a problem that is not essentially a pension-related problem, but we are trying to find a pension solution to the problem, and the consolidated revenue fund is an appropriate source of funding.

However, I am concerned with my nose that this motion may lose. I wonder whether it might be better to take a cut at a fall-back position and suggest that the cost be borne equally by the consolidated revenue fund and the teachers' superannuation fund. I suggest this with a bit of trepidation because I am not sure what that might mean in terms of figuring it out, but I do throw it forward in any event.

Mr. Chairman: At the moment the effect of the loss of this clause would be just to leave indefinite where the money was to come from.

Mr. Reville: That is right.

Mr. Chairman: It would therefore leave the negotiating of that and the consultation process up to those other parties to come up with a decision. It could be changed specifically only if we then had a further motion put forward to say it should all come from the superannuation fund. That is the only way it would change at this point. You can negotiate your 50:50 if you like, but at the moment—

Mr. Reville: We would not have a recommendation on it, then.

Mr. Chairman: —all it would mean would be that if we vote against that, there would be no specific recommendation about where the money should come from. Therefore, that process of developing the plan as listed in number 1 would stand on its own at this point.

Mr. Reville: All right.

Mr. Reycraft: Another make-work project.

Mr. Chairman: Is there anything further on the second clause?

Mr. Reycraft: May I ask a point of information from Mr. Allen? Did you say you understood the ministry people to say yesterday that it would be easier to provide early retirement incentives if

the money came from the consolidated revenue fund rather than from TSF?

Mr. Allen: That was my understanding. I stand to be corrected.

Mr. Reycraft: I do not think that is the case. The opposite is true. It is easier to administer if it is done inside the teachers' superannuation fund rather than outside.

Mr. Chairman: That may have been the impression. My impression was that the Ontario Teachers' Federation made the argument yesterday that because of all the other negotiations around the superannuation fund, to try to have this come out of the fund at this time would be very complicated, given everything else that is on the table. I do not recall the ministry actually suggesting it would be easier.

Mr. Reycraft: That was the reason given for not having it before the biennial review, but that does not mean it could not be done otherwise.

Mr. Chairman: To be fair, although the ministry has forwarded its position already, we should also remember whom we are trying to help and address with this. The OTF did essentially give us a fairly indirect warning about trying to take it out of the superannuation fund. It very specifically recommended that it come out of consolidated revenue. I am arguing at this stage that it might be wise, if we defeat this, not to replace it.

Is there anything else?

Mr. Reycraft: I will not say anything about the chairman arguing.

Mr. Chairman: No, of course you would not. This one has certain privileges that none of the rest are allowed. I thought that was part of the standing orders of this committee.

Anything further on number 2?

Mr. G. I. Miller: We are really breaking new ground here in dealing with early retirement. We might want to leave a little bit for the Ontario Secondary School Teachers' Federation to negotiate or to provide the funding for retirement. If we indicate that we support that, we should leave it to them to negotiate.

I can see it coming up to general revenue. There is going to be a lot of pressure put on the general revenue fund, which means the taxpayer. Money has to be generated. Perhaps we should leave it to negotiation and let the OSSTF work it out at that level.

4:40 p.m.

Mr. Chairman: Thank you.

Let us go on to item 3, "That the ministry undertake to secure improved portability among public sector superannuation plans so as not to impede the movement of schoolteachers into other public service professions."

Mr. Allen spoke to this briefly when he introduced his remarks. Are there any comments on this section?

Mr. Reycraft: It is my understanding that there already is a reciprocal agreement between the Teachers' Superannuation Act and the Public Service Superannuation Act that would allow a teacher to enter the civil service and have his pension benefits transferred. I see heads nodding.

Mr. Chairman: They are nodding in the affirmative.

Mr. Reycraft: Given that Mr. Allen's resolution states that his concern is that we not impede the movement of schoolteachers into other public service professions, my concern is that item 3 is redundant. That is a bad choice of words.

Mr. Chairman: I noticed that after the nodding there was also a chorus of silent "buts" in the audience. I am not sure whether Mr. Allen can help us with this.

Mr. Allen: I cannot help you with the butts, but I gather there are people here who can. I wonder whether the committee would be prepared to entertain some commentary from someone more knowledgeable than I in that respect. I know there are problems of movement back and forth. I am not myself fully conversant with all the details, but because I knew there were problems I put this in so we could have some discussion of it.

Mr. Chairman: It is unusual to have deputies in the middle of clause-by-clause. If there is unanimity among the committee, we might hear some first-hand experience about this. It would be a good idea.

Which of the noddors and butts would like to come forward and try to fill us in a bit? Please introduce yourself.

Mr. Reville: This is submission 9,900.

Mr. McKellar: I am A. McKellar, chairman of the Ontario Secondary School Teachers' Federation superannuation committee. I was before you earlier with our brief. One aspect of our brief dealt with the Public Service Superannuation Act and the difficulty former civil servants have who have left the civil service and now are teaching. When they were civil servants, they did not serve the time necessary to have a vested pension. They withdrew their money from the civil service fund when they left. The

portability that is necessary is for them to be able to pay back the money plus interest to the public service superannuation fund and to have their credits transferred to the teachers' superannuation fund.

The opposite now is possible. A teacher who left teaching some years ago, took his or her money from the teachers' superannuation fund and went to work for the civil service as a member of the public service superannuation fund, can pay back the contributions to the teachers' superannuation fund that were withdrawn and have them transferred to the public service superannuation fund and can have the credits combined.

A number of our members have approached us and would like to have the same privilege as a person who went the other way. This would require an amendment to the Public Service Superannuation Act that would be similar to section 48 of the Teachers' Superannuation Act. It would truly be a reciprocal agreement. At present everything is not reciprocal. In this matter it goes in one direction, and we believe it should also go in the other.

Your question may be, how does it come on the floor here. We have a number of teachers in their mid-50s who had, say, seven to nine years working with the public service before they came into teaching. If these credits can be repaid and transferred, the teacher would be close to the 90 factor, could have a pension that he or she has earned and therefore would retire. We have been contacted by a number of them, and if this provision were introduced, some would retire this June who cannot at present.

Ms. Pengelley: I am Sal Pengelley, and I am the secondary school teachers' representative on the Teachers' Superannuation Commission. The only thing I can add is that it is my guess there might be as many as 200 of these teachers. If they were able to repay, that much less would have to be funded out of the removal of the penalties because this might very well pop them right over the bank and they could retire without penalty anyway.

Mr. Chairman: Can you inform me whether this is part of the ongoing discussions around the Teachers' Superannuation Act at the moment or is this outside of it?

Mr. McKellar: It is my understanding it is not part of the ongoing discussions.

Ms. Pengelley: It is not in the biennial review.

Mr. Chairman: I would like to caution the committee not to add things that are part of the

biennial review, as OSSTF warned us about. Are there further questions or clarifications?

Mr. Guindon: What you are telling us, in other words, is that teachers who have been with a separate school board for five years or for a while and are with the OSSTF now could buy in?

Mr. McKellar: No, it is not a question of a teacher who went from one board to another; it is a teacher who at one time worked for the public service, a civil servant of Ontario, and was a member of the Public Service Superannuation Act, and then went into teaching after that.

Mr. Guindon: How does this take care of a teacher who was in a private school?

Mr. McKellar: That is another matter.

Ms. Pengelley: Teachers in private schools are a matter that is being dealt with under the biennial review. The issue of the designated private school is not something that is in any way related to the suggestion. This suggestion only deals with former civil servants who are now teachers—those who worked for the Department of Lands and Forests or for a variety of places.

Mr. Chairman: I would like to thank you both very much. I appreciate your being here to help us.

Mr. Allen, I suggest the wording of your motion is not appropriate to what we are trying to accomplish, but it does seem that what is trying to be accomplished is something that is relevant to our discussion. If you would like to try to work on a rewording of that to present to the committee, we can go on to item 4 and come back to that discussion. Is that all right with committee members? Okay.

The fourth item was the question which we amended to read now: "The regulations of the Ministry of Education be amended to promote more effectively position-sharing by teachers." Mr. Allen spoke to this as to why he thought this was directly connected to superannuation. Are there comments from other committee members?

Mr. Reycraft: I wonder if I could ask Mr. Allen to restate for us some of the measures that might be promoted to have this effect. I am not clear what he is talking about when he suggests the ministry try to promote more effectively position-sharing by the teachers.

Mr. Chairman: I gather what has happened with the present situation is that at the local board level, the board has been able to effectively reduce the amount of position-sharing that has taken place because it becomes part of ongoing bargaining. I am trying to give him a break so he can reword the other matter.

Mr. Allen, did you want to add any information on item 4 in terms of what changes you think would be appropriate now? What are the present problems with the situation? Perhaps a more effective way to do this again might be to ask someone to come up from the audience who knows some of the problems and have us clear that up while you are working on the matter. Would that be all right?

What are the present difficulties with the effectiveness of the position-sharing arrangements that are already allowed by regulations?

4:50 p.m.

Mr. McKellar: In the brief we presented to you, we indicated that position-sharing was a great idea. If I remember correctly, back in June 1982, when then-Premier Davis made public the amendments to the Teachers' Superannuation Act, he said this would be a very effective way of introducing more young people into the teaching profession. Position-sharing allowed a teacher to go part-time and to purchase the remainder of the time in the teachers' superannuation fund, which is very important.

The problems that arose were outlined in our brief. I do not know whether I need to go over some of them. The major one we have found has been that the total control of whether a person may participate in a position-sharing scheme under the act is with the board of education. If this were removed and there was provision for a teacher who wished to participate in the position-sharing scheme under the conditions established by the ministry in regulation, there would be many more people who would participate in it. This would again free up many more openings for younger teachers to come into the profession, and this is very important.

As far as the motion is concerned, the technical nature of it is that there is regulation 14 under the Teachers' Superannuation Act. The act allows the ministry to establish a regulation. Within the regulation under the Teachers' Superannuation Act, regulation 14 concerns position-sharing; so the correct wording would refer to an improvement in the regulation to promote more effectively position-sharing by the teachers.

Ms. Pengeley: Just one further addition: It is not only control that is a problem at present; it is also administration. The boards are still lacking in an understanding of how the scheme is supposed to work, and so they continue to make errors. I have received messages from several superintendents of personnel who have said they wish that they would no longer be required to

administer these plans, but that the responsibility for the administration be placed in the hands of the teachers.

Mr. Chairman: Is this a matter that is under discussion in the biennial review?

Mr. McKellar: There are aspects of position-sharing, but not that part.

Mr. Chairman: Thank you. Are there any questions of clarification that the members have of our two guests? If not, I will excuse you and thank you very much and we will get down to a discussion of it.

It just occurred to me that you might have a more particular wording to this if we want it to have any effect. Before we come to that, I would have to have an amendment presented.

Mr. Reyecraft: It sounds as if one of the concerns is the fact that the position-sharing scheme has to be approved by the affected board of education. That is causing some problems and not resulting in as many instances of it occurring as teachers would like. It seems to me that responsibility, that right to approve position-sharing schemes, has to remain with the board.

There could well be situations where a teacher wished to position-share and where the board was unable to find a suitably qualified teacher to co-operate in that. Other situations too could be presented where it just would not be in the best interests of the students. I am not opposed to encouraging more position-sharing, but I am very leery of infringing on the rights of the boards of education or even appearing to do so.

Mr. Chairman: It is clear that what we do have here is a conflict between the fund, which the boards have no control over, and the administration of their curricula and that kind of thing, over which they do have some control. The wording it would have would not specifically deal with an infringement on those rights, but rather would try to encourage the system to work better. We would need a different wording to be able to make that happen, one way or the other. Any suggestions on the rewording of number 4?

Mr. Allen: If the concern is in infringing on the rights of boards, I am not sure the wording of number 4 does that. Perhaps I missed something when I was doing some other drafting, but amendments to the regulations of the Ministry of Education concerning position-sharing simply would be done by the ministry in such a way as to leave board initiatives broadly intact.

As I understand it, it does not say anything about overriding boards or about subverting boards. In the context of the normal relationships

between the ministry and the boards of education, whatever can be done by amending the regulations to promote this kind of activity should be done.

Mr. Chairman: We are dealing with two things, and they are getting confused. Reasons are being given by our deputants today about problems at the board administration level. The wording as it is now does not infringe upon that at all. There is some question about whether these are regulations of the Ministry of Education or whether they are part of the Teachers' Superannuation Act, section 14.

We might want to change it to make it read that "section 14 of the Teachers' Superannuation Act should be amended to promote" and go on from there. However, I cannot make motions; everybody knows that. Even this chairman would not presume to do something like that. "Section 14 of the regulation under the Teachers' Superannuation Act" is how it was worded in a presentation to us by the OSSTF.

Mr. Allen moves that section 14 of the regulation under the Teachers' Superannuation Act be amended to promote more effectively position-sharing by teachers.

That has been moved by the presenter of the initial motion; so it is the new motion before us.

Mr. Reycraft: Is Dr. Allen suggesting that section 14, which requires the employer to approve the position-sharing scheme, should be softened? Is that specifically what is being talked about?

Mr. Chairman: No.

Mr. Reycraft: I am still having trouble, as I was earlier when I asked Dr. Allen if he could suggest things that could be done, so I would have a better idea of what we were recommending.

I went through a situation myself where I was a special education teacher of students with specific learning disabilities, and I requested permission to position-share so I could get involved in a political endeavour—

Mr. Chairman: Shame. An old pro.

Mr. Reycraft: At the municipal level.

Mr. Chairman: It was a slippery slope, though, was it not?

Mr. Reycraft: The board's policy on such matters requires that there must be a suitably qualified teacher available or the leave will not be granted, and I do feel that is appropriate.

5 p.m.

Mr. Chairman: Rather than us trying to come up with a specific solution to it, it seems to me

our one limitation is that we do not have the specific wording of that section before us at this point to know whether it is appropriate to say we want to amend it or whether it is something to do with the administration of that section that is a question. It could obviously be something that might be dealt with by staffing, by having a person in a position responsible for assisting boards to facilitate and that kind of thing, more like an affirmative action kind of role that could make that happen.

Without that section before us, I could not advise the committee whether it requires amendment, which was suggested by the OSSTF, or whether it is just the administration of that section as it is worded at present that could be done.

Mr. Reycraft: It is also my understanding the administration of the section is before the biennial review. Is that not correct?

Mr. Chairman: We seem to have a difference of opinion.

Mr. Henderson: Without getting unduly bogged down with this point 4, I do not see the difficulty with it, but I must confess I do not perhaps fully understand it either. It seems to me the essence of what Mr. Allen is getting at is conveyed in 1, 2 and 3; that there would be an early retirement scheme without particular penalty for a period that is to be negotiated, that the cost of it will be borne by the consolidated revenue fund and that portability will be improved. That is the essence of what you are getting at. I do not know we are far from agreement on that part.

Mr. Allen: With respect to item 4, we probably all want to say that while we have had some contact with the issue, none of us appears to be well immersed in that question. Therefore, in some respects it might be unwise for us to proceed with as much uncertainty as there appears to be in the committee at this time. We have had some helpful advice with regard to it, but it still seems not to have clarified the issue for most members of the committee.

I would be happy to set that item aside from the motion, and we can perhaps come back and look at it again, gather our documentation and forward it under another discussion. If you wish me simply to withdraw that, I shall do so.

I will give you a wording for number 3. I will start from the beginning of that sentence: "That the ministry undertake to secure improved portability among public sector superannuation plans so as to enable teachers once employed in the public service to move more quickly towards

meeting retirement criteria (i.e., by amending the Public Service Superannuation Act by inserting the equivalent of section 48 of the Teachers' Superannuation Act)." That is the clause that effectively does what Mr. McKellar described to us earlier.

Mr. Henderson: Now I am in difficulty again. I wonder if, by being that specific, we are going a little beyond what is likely to get agreement. If we were to stay with the intent of number 3, we could even put a period after the word "plans" and leave the rest to negotiation and discussion. Would that not make more sense for the committee rather than to be quite so specific?

Mr. Allen: The major problem that exists is reasonably specific—it is not a general problem—and the item in question does approximate that particular provision. We give a general instruction to improve portability to achieve a certain objective, which is to enable certain teachers who were once in the public service to move more quickly towards meeting retirement criteria.

That is the broad objective. The example of how that might specifically be done is in parenthesis. It is not a directive to the ministry; it is simply our observation as to the phrasing and the clausling that gets at the problem.

The Acting Chairman (Mr. Reville): Are there any further comments? Mr. Reyecraft, you do not have to comment if you do not want to, but you look expectant.

Mr. Reyecraft: To get the meaning across, I suggest that the word "once" be changed to "previously." I think that is what Dr. Allen is referring to.

The Acting Chairman: Hang on a second and we will see if Dr. Allen thinks that is all right. You might get an agreement. Would you be prepared to substitute the word "previously" for "once" as in "previously employed"?

Mr. Allen: "Once employed"? I do not see any—

Mr. Reyecraft: "Previously employed" instead of "once employed."

Mr. Allen: Sure.

The Acting Chairman: That is a friendly amendment.

Mr. Allen: I also suggest using "e.g." rather than "i.e."—"for example" would be more general even than "i.e."

The Acting Chairman: Yes. I think "e.g." is preferable to "i.e." You can put in "sic" too, if you like.

Mr. Allen: Our erudition is overwhelming.

Mr. Chairman: Anything further on this item?

Mr. Reyecraft: I have a general question. Is it appropriate for us to be recommending to the Ministry of Education that it try to effect change to an act that lies within the responsibility of another ministry?

Mr. Chairman: It is not totally inappropriate, inasmuch as the problem with dealing with the superannuation fund in general is not left up to the Minister of Education, but is also up to the Treasurer and Minister of Revenue (Mr. Nixon) who has a great say in these things.

All we are asking the minister to do in his sphere of fiscal responsibility is to try to secure that. That does not mean he need do anything more than convey our desires. If you like, you could even change it to instruct me in the chair to write to the specific minister about it and just send a copy to the Minister of Education.

Obviously, it affects our goals if somebody talks about as many as 200 teachers being involved in this, but you are right that the actual action necessary would be taken by another minister. We could handle that by the letter rather than by the nature of the recommendation.

Mr. Allen: I think it is in the province of the Minister of Education to act on behalf of any element of his constituents to secure their welfare. This affects teachers and in that sense it comes within his jurisdiction to make those representations.

5:10 p.m.

Mr. Chairman: Anything further on this matter? If not, are there subsequent motions that anybody wishes to add to what we have here at present?

If not, I am in your hands as to how you want to deal with the whereases. As far as I am concerned in the chair, I consider the whereases to be relevant to what we are doing. Essentially, if you pass these recommendations in any form that you decide, we will be authorizing the chair to send a letter to the Minister of Education and any other ministers you feel appropriate. That is what I would send. I would not send the whereases and the preamble unless you wanted me to.

We have two ways to go. One, you can suggest you would like the preamble to stay and then amend it in terms you find appropriate; or two, you can just instruct me to send to the appropriate ministers whatever recommendations you pass.

Mr. Henderson: Is there a third possibility in that the whereases could be included, not as

whereases but as background material in your letter? They would not form a part of the actual recommendation to the minister, but be background material for what it is worth.

Mr. Chairman: It is quite easy. If you wish me, you could have a transcript of the initial statement of the motion and I can just include the whereases there. I was suggesting the other option of just the recommendations going forward because some people are having difficulty with the wording of the whereases. I have often found that in meetings on constitutional matters where you deal with whereases, very often you spend much more time on whereases than on the body of recommendations. We have only until 6 p.m. today to conclude our decisions. I am in your hands on that.

Mr. Allen: I have no strong feelings on that subject. The reason I composed the whereases was that I understood our discussion and our resolutions are arising out of our activities as a committee concerned with Bill 30 and there was some reason for us to justify the relationship between what we are recommending to the minister and what we were up to as a committee. That was part of the initial resolution I did not put before the committee in the first place.

I am quite aware, as is the whole committee, that these issues are also part of a larger complex of educational problems and one can come at them from a much broader perspective, there is no question about that. However, I would be happy to have you as chairman simply convey the sense of our concern about this issue and the reasons for it in a more discursive way in a letter rather than getting into the details of whereases. I am not particularly stuck on that.

Mr. Chairman: I would presume that in the letter I would do that sort of thing at any rate, talking about the number of times these concerns were raised and that there is great hope seen in terms of these changes as they affect Bill 30, as well as the general problems of ageing in the teacher population. We can do it in that fashion, if you like. If there is general agreement on that, then let us move to the motions. We will take them one at a time.

The first motion would now read, "That the ministry, in consultation with the Ontario Teachers' Federation, the Teachers' Superannuation Commission and the Department of National Revenue, arrange a time-definite early retirement scheme whereby, starting in 1986 for up to, but not exceeding, five years, teachers reaching the age of 55 with a minimum of 10 years of

service will have early retirement penalties eliminated."

On a point of order, we are not all present for this vote. If any caucus member would like time to recall members for the vote, that is up to you to do, otherwise I will just proceed right along. You can take up to 20 minutes to make sure a full voting contingent is here if you like.

Mr. Guindon: Just proceed.

Mr. Chairman: We will now take the vote on item 1. All those in favour of the first portion of Mr. Allen's motion please indicate? It is unanimous.

Item 2 reads, "That the cost of this scheme be borne by the consolidated revenue fund." That is negatived.

Item 3, "That the ministry undertake to secure and approve portability among public sector superannuation plans so as to enable teachers previously employed in the public service to move more quickly towards meeting retirement criteria, e.g., by amending the Public Service Superannuation Act by inserting the equivalent of section 48 in the Teachers' Superannuation Act."

Is it understood and agreed that is what we decided? All those in favour of item 3, as amended, please indicate? Those opposed? Agreed to.

Motion, as amended, agreed to.

Mr. Chairman: Item 4 was withdrawn, so we do not have that. Therefore, we have two recommendations that will be sent to the Minister of Education. Do you want me to send a copy of what was item 3, which will now be item 2, to the other appropriate minister for his information? Is there a general consensus? I can just send it as a copy or as an individual letter, whichever you prefer.

Mr. Reyecraft: It would be appropriate to send the first one to both the Treasurer and the Minister of Education; and the second one, which was the third, in addition to those two ministers, to the Chairman of Management Board (Ms. Caplan).

Mr. Chairman: Is there general agreement? Agreed.

Mr. Chairman: Excellent. There is no other business. After four and a half months of hearings and deliberations, the committee can say it has finally passed two recommendations. God, if only the whole province were in our hands.

The committee adjourned at 5:18 p.m.

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 Offer, S. (Mississauga North L)
 Reville, D. (Riverdale NDP)
 Reycraft, D. R. (Middlesex L)

From the Ontario Secondary School Teachers' Federation:

McKellar, A., Chairman, Superannuation Committee
 Pengelley, S., Superannuation Commissioner

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